EXHIBIT 16



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

April 28, 2024

Michaela Koert
Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

umoer.

INTERIM ACTION: FIRST NOTICE

Dear Michaela:

The Office of Student Rights and Responsibilities has received information alleging that you may have engaged in conduct that would violate the Arizona Board of Regents Student Code of Conduct. It has been reported that on or around Saturday, April 27, 2024, during a gathering located at the Old Main lawn at the ASU Tempe campus, you failed to comply with the directives of ASU PD officers and were subsequently arrested for trespassing.

INTERIM ACTION(S)

Based on the reported behaviors, the following interim action(s) have been taken:

Effective immediately, you are placed on Interim Suspension and are trespassed from all property owned, leased, operated, or under the control of ASU. This status means you may not come to any ASU campus for any reason other than to meet with the Office of Student Rights and Responsibilities at pre-arranged times. Among other restrictions, this Interim Suspension also means you may not live on campus, attend or participate in classes (including both in-person and online), or contact your instructors for any reason. Your faculty will be notified of your status by the Office of the Dean of Students. You also may not participate in any educational or extracurricular activities, including internships or other on- and off-campus obligations tied to your ASU student status. Please be advised that should you be found on any university property, outside of approved meetings, you may be subject to arrest for trespassing. An administrative hold has been placed on your student account, which prevents any registration or admissions process.

The interim action(s) will remain in effect until a final decision has been made on the pending allegations or until Student Rights and Responsibilities believes that the reasons for imposing the interim action no longer exist.

ALLEGATIONS OF CODE OF CONDUCT VIOLATION(S)

In part, the Student Code of Conduct sets forth the standards of conduct expected of students who join the university community. The information provided indicates that there may be possible violation(s) of the Student Code of Conduct, pertinent parts of which are stated below:

- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

MEETING NOTIFICATION

As a result, Student Rights and Responsibilities has initiated an investigation into this matter.

A meeting will be set for you to attend with a staff member from the Office of Student Rights and Responsibilities. Please monitor your asu.edu e-mail address for additional information regarding the date and time of this meeting. If you have questions, please contact deanofstudents@asu.edu.

The purpose of this meeting is to review the code of conduct procedures, to explain the allegations being investigated, and to provide you the opportunity to respond to the allegations. You may bring an advisor to this meeting, to which the attached consent forms must be signed and emailed back to brian.reece@asu.edu at least 24 hours in advance of the meeting. If you need any accommodations to participate in the meeting or any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

INTERIM ACTION APPEAL PROCESS

You may provide information to Student Rights and Responsibilities to contest the interim action by <u>completing this form</u> by no later than 11:59 p.m. on **Friday, May 3, 2024**. Based on information provided, the Dean of Students, or designee, will determine whether the interim action should remain in place.

As you prepare for your participation in this investigation, we encourage you to review the <u>ABOR Student Code of Conduct</u>, <u>Student Code of Conduct Procedures</u>, and the <u>Academic Affairs Manual (ACD) 401 Policy</u>. These documents, along with a list of Frequently Asked

Questions, are also available at: https://eoss.asu.edu/dos/srr/. Please note the referenced documents contain a prohibition of retaliation against any individuals or groups that may be affiliated with this investigation as well as the prohibition of interference with the code of conduct process.

The Office of Student Advocacy and Assistance is a resource available to you should you need assistance or support during this time. You can also learn more about this resource at: https://eoss.asu.edu/dos/srr/StudentAdvocacyandAssistance

If you have questions or to reschedule the meeting, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students, including the Office of Student Advocacy and Assistance.

Sincerely,

Dr. Brian Reece

Associate Dean of Students

Student Rights and Responsibilities | Arizona State University | 480-965-9170

REPORTING OPTIONS

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



Arizona State University

Dean of Students Office - Student Rights and Responsibilities

Role of an Advisor in the Investigative Process

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). Students are encouraged to take advantage of this provision.

The investigative proceedings are administrative and educational in nature. Students are expected to take an active role in the investigative process which includes speaking and advocating for themselves. The advisor's role is to support and assist the student through the investigative process and work with the student on how to engage in the process. Family members, attorneys, community members, and other students (as outlined below) are welcome to serve as advisors and will be held to the standards outlined here.

The student may select the advisor of their choice, but the advisor may not be engaged in the case as a witness or party. To avoid a conflict of interest, an advisor may not assist both the responding party and reporting party. The student must complete a separate release of information prior to the advisor participating in the investigative process.

During the investigative process, the advisor may:

- Accompany the student in any investigative meeting;
- Support the student throughout the process;
- Discuss the matter with the student and help the student to participate in the administrative process;
- Advise the student in providing a response or materials to SRR staff;

During the investigative process, the advisor may *not*:

- Speak/ respond for or on behalf of the student;
- Present materials or provide evidence directly to SRR;
- Ask witnesses questions;
- Receive information from SRR on behalf of the student.

SRR will schedule meetings based on the student's academic schedule and will consider reasonable requests to reschedule meetings.

During meetings with SRR, students may request breaks to consult with their advisor in private. Additionally, thoughts may be shared between advisor and student either through whisper or in writing.

The role of the advisor during the investigation process with SRR is different from the role of the advisor during an appeal with the University Hearing Board (see *Student Code of Conduct Procedures*). Advisors not complying with or disrupting the student conduct process will be removed and precluded from further participation in the process.

ACKNOWLEDGEMENT OF ADVISOR ROLE:

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). By signing this document, the student and advisor agree to the expectations provided in the document titled *Role of an Advisor*.

Student Name:	Date:		
Student Signature:	Phone & Email:		
Advisor Name:	Date:		
Advisor Signature:	Phone & Email:		

Effective date: 9/18/2017



CONSENT TO THE RELEASE OF INFORMATION

STUDENT NAME:				
STUDENT IDENTIFICATION NUMBER:				
EDUCATIONAL RECORD(S) TO BE RELEASED: Student Conduct Record				
NAME AND ADDRESS, EMAIL, OR FAX NUMBER OF THE PARTY TO WH RECORDS MAY BE MADE, "AUTHORIZED RECIPIENT(S)":				
PURPOSE OF DISCLOSURE:				
☐ Transferring to other Institution				
☐ Graduate College				
☐ Medical School / Law School				
☐ Student Code of Conduct Procedures				
□ Other:				
By presenting a signed and dated copy of this Consent to Arizona State University release by ASU of the Records to the Authorized Recipient(s) for the Purpose idea agrees that ASU may discuss the information contained in the Records with the A Consent applies to educational records that may otherwise be protected under the Privacy Act of 1974, as amended, 20 U.S.C. 1232g.	ntified above. The Student further authorized Recipient(s). This			
NAME (please print):				
SIGNATURE:				
DATE:				
PHONE AND EMAIL:				
For Office Use Only				
Request fulfilled by:				
STAFF (Please Print) Signature	Date			

EXHIBIT 17



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

April 28, 2024

Jose Maciel

Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

INTERIM ACTION: FIRST NOTICE

Dear Jose:

The Office of Student Rights and Responsibilities has received information alleging that you may have engaged in conduct that would violate the Arizona Board of Regents Student Code of Conduct. It has been reported that on or around Saturday, April 27, 2024, during a gathering located at the Old Main lawn at the ASU Tempe campus, you failed to comply with the directives of ASU PD officers and were subsequently arrested for trespassing.

INTERIM ACTION(S)

Based on the reported behaviors, the following interim action(s) have been taken:

Effective immediately, you are placed on Interim Suspension and are trespassed from all property owned, leased, operated, or under the control of ASU. This status means you may not come to any ASU campus for any reason other than to meet with the Office of Student Rights and Responsibilities at pre-arranged times. Among other restrictions, this Interim Suspension also means you may not live on campus, attend or participate in classes (including both in-person and online), or contact your instructors for any reason. Your faculty will be notified of your status by the Office of the Dean of Students. You also may not participate in any educational or extracurricular activities, including internships or other on- and off-campus obligations tied to your ASU student status. Please be advised that should you be found on any university property, outside of approved meetings, you may be subject to arrest for trespassing. An administrative hold has been placed on your student account, which prevents any registration or admissions process.

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ALLEGATIONS OF CODE OF CONDUCT VIOLATION(S)

In part, the Student Code of Conduct sets forth the standards of conduct expected of students who join the university community. The information provided indicates that there may be possible violation(s) of the Student Code of Conduct, pertinent parts of which are stated below:

- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

MEETING NOTIFICATION

As a result, Student Rights and Responsibilities has initiated an investigation into this matter.

A meeting will be set for you to attend with a staff member from the Office of Student Rights and Responsibilities. Please monitor your asu.edu e-mail address for additional information regarding the date and time of this meeting. If you have questions, please contact deanofstudents@asu.edu.

The purpose of this meeting is to review the code of conduct procedures, to explain the allegations being investigated, and to provide you the opportunity to respond to the allegations. You may bring an advisor to this meeting, to which the attached consent forms must be signed and emailed back to brian.reece@asu.edu at least 24 hours in advance of the meeting. If you need any accommodations to participate in the meeting or any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

INTERIM ACTION APPEAL PROCESS

You may provide information to Student Rights and Responsibilities to contest the interim action by <u>completing this form</u> by no later than 11:59 p.m. on **Friday, May 3, 2024**. Based on information provided, the Dean of Students, or designee, will determine whether the interim action should remain in place.

As you prepare for your participation in this investigation, we encourage you to review the <u>ABOR Student Code of Conduct</u>, <u>Student Code of Conduct Procedures</u>, and the <u>Academic Affairs Manual (ACD) 401 Policy</u>. These documents, along with a list of Frequently Asked

Questions, are also available at: https://eoss.asu.edu/dos/srr/. Please note the referenced documents contain a prohibition of retaliation against any individuals or groups that may be affiliated with this investigation as well as the prohibition of interference with the code of conduct process.

The Office of Student Advocacy and Assistance is a resource available to you should you need assistance or support during this time. You can also learn more about this resource at: https://eoss.asu.edu/dos/srr/StudentAdvocacyandAssistance

If you have questions or to reschedule the meeting, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students, including the Office of Student Advocacy and Assistance.

Sincerely,

Dr. Brian Reece

Associate Dean of Students

Student Rights and Responsibilities | Arizona State University | 480-965-9170

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

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Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

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- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
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- c) Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

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The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

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- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

Document 90-2

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

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Sexual Violence Prevention Resources

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La Frontera/EMPACT Trauma Healing Program

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ASU LiveSafe Mobile App

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- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



Arizona State University

Dean of Students Office - Student Rights and Responsibilities

Role of an Advisor in the Investigative Process

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). Students are encouraged to take advantage of this provision.

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- Speak/ respond for or on behalf of the student;
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SRR will schedule meetings based on the student's academic schedule and will consider reasonable requests to reschedule meetings.

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ACKNOWLEDGEMENT OF ADVISOR ROLE:

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). By signing this document, the student and advisor agree to the expectations provided in the document titled *Role of an Advisor*.

Student Name:	Date:	
Student Signature:	Phone & Email:	
Advisor Name:	Date:	
Advisor Signature	Phone & Fmail	

Effective date: 9/18/2017



CONSENT TO THE RELEASE OF INFORMATION

STUDENT NAME:	
STUDENT IDENTIFICATION NUMBER:	
EDUCATIONAL RECORD(S) TO BE RELEASED: Student	Conduct Record
NAME AND ADDRESS, EMAIL, OR FAX NUMBER OF TI RECORDS MAY BE MADE, "AUTHORIZED RECIPIENT	
PURPOSE OF DISCLOSURE:	
☐ Transferring to other Institution	
☐ Graduate College	
☐ Medical School / Law School	
☐ Student Code of Conduct Procedures	
☐ Other:	
By presenting a signed and dated copy of this Consent to Ariz release by ASU of the Records to the Authorized Recipient(s) agrees that ASU may discuss the information contained in the Consent applies to educational records that may otherwise be Privacy Act of 1974, as amended, 20 U.S.C. 1232g.	for the Purpose identified above. The Student further Records with the Authorized Recipient(s). This
NAME (please print):	
SIGNATURE:	
DATE:	
PHONE AND EMAIL:	
For Office Use Only	
Request fulfilled by:	
STAFF (Please Print) Signature	Date

EXHIBIT 18



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

April 27, 2024

Noor Odeh Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

INTERIM ACTION: FIRST NOTICE

Dear Noor:

The Office of Student Rights and Responsibilities has received information alleging that you may have engaged in conduct that would violate the Arizona Board of Regents Student Code of Conduct. It has been reported that on or around Friday, April 26, 2024, during a gathering located at the Old Main lawn at the ASU Tempe campus, you failed to comply with the directives of ASU PD officers and were subsequently arrested for trespassing.

INTERIM ACTION(S)

Based on the reported behaviors, the following interim action(s) have been taken:

Effective immediately, you are placed on Interim Suspension and are trespassed from all property owned, leased, operated, or under the control of ASU. This status means you may not come to any ASU campus for any reason other than to meet with the Office of Student Rights and Responsibilities at pre-arranged times. Among other restrictions, this Interim Suspension also means you may not live on campus, attend or participate in classes (including both in-person and online), or contact your instructors for any reason. Your faculty will be notified of your status by the Office of the Dean of Students. You also may not participate in any educational or extracurricular activities, including internships or other on- and off-campus obligations tied to your ASU student status. Please be advised that should you be found on any university property, outside of approved meetings, you may be subject to arrest for trespassing. An administrative hold has been placed on your student account, which prevents any registration or admissions process.

The interim action(s) will remain in effect until a final decision has been made on the pending allegations or until Student Rights and Responsibilities believes that the reasons for imposing the interim action no longer exist.

ALLEGATIONS OF CODE OF CONDUCT VIOLATION(S)

In part, the Student Code of Conduct sets forth the standards of conduct expected of students who join the university community. The information provided indicates that there may be possible violation(s) of the Student Code of Conduct, pertinent parts of which are stated below:

- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

MEETING NOTIFICATION

As a result, Student Rights and Responsibilities has initiated an investigation into this matter.

A meeting will be set for you to attend with a staff member from the Office of Student Rights and Responsibilities. Please monitor your asu.edu e-mail address for additional information regarding the date and time of this meeting. If you have questions, please contact deanofstudents@asu.edu.

The purpose of this meeting is to review the code of conduct procedures, to explain the allegations being investigated, and to provide you the opportunity to respond to the allegations. You may bring an advisor to this meeting, to which the attached consent forms must be signed and emailed back to brian.reece@asu.edu at least 24 hours in advance of the meeting. If you need any accommodations to participate in the meeting or any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

INTERIM ACTION APPEAL PROCESS

You may provide information to Student Rights and Responsibilities to contest the interim action by <u>completing this form</u> by no later than 11:59 p.m. on **Monday, May 6, 2024**. Based on information provided, the Dean of Students, or designee, will determine whether the interim action should remain in place.

As you prepare for your participation in this investigation, we encourage you to review the <u>ABOR Student Code of Conduct</u>, <u>Student Code of Conduct Procedures</u>, and the <u>Academic Affairs Manual (ACD) 401 Policy</u>. These documents, along with a list of Frequently Asked

Questions, are also available at: https://eoss.asu.edu/dos/srr/. Please note the referenced documents contain a prohibition of retaliation against any individuals or groups that may be affiliated with this investigation as well as the prohibition of interference with the code of conduct process.

The Office of Student Advocacy and Assistance is a resource available to you should you need assistance or support during this time. You can also learn more about this resource at: https://eoss.asu.edu/dos/srr/StudentAdvocacyandAssistance

If you have questions or to reschedule the meeting, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students, including the Office of Student Advocacy and Assistance.

Sincerely,

Dr. Brian Reece

Associate Dean of Students

Student Rights and Responsibilities | Arizona State University | 480-965-9170

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

Document 90-2

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



Arizona State University

Dean of Students Office - Student Rights and Responsibilities

Role of an Advisor in the Investigative Process

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). Students are encouraged to take advantage of this provision.

The investigative proceedings are administrative and educational in nature. Students are expected to take an active role in the investigative process which includes speaking and advocating for themselves. The advisor's role is to support and assist the student through the investigative process and work with the student on how to engage in the process. Family members, attorneys, community members, and other students (as outlined below) are welcome to serve as advisors and will be held to the standards outlined here.

The student may select the advisor of their choice, but the advisor may not be engaged in the case as a witness or party. To avoid a conflict of interest, an advisor may not assist both the responding party and reporting party. The student must complete a separate release of information prior to the advisor participating in the investigative process.

During the investigative process, the advisor may:

- Accompany the student in any investigative meeting;
- Support the student throughout the process;
- Discuss the matter with the student and help the student to participate in the administrative process;
- Advise the student in providing a response or materials to SRR staff;

During the investigative process, the advisor may *not*:

- Speak/ respond for or on behalf of the student;
- · Present materials or provide evidence directly to SRR;
- Ask witnesses questions;
- Receive information from SRR on behalf of the student.

SRR will schedule meetings based on the student's academic schedule and will consider reasonable requests to reschedule meetings.

During meetings with SRR, students may request breaks to consult with their advisor in private. Additionally, thoughts may be shared between advisor and student either through whisper or in writing.

The role of the advisor during the investigation process with SRR is different from the role of the advisor during an appeal with the University Hearing Board (see *Student Code of Conduct Procedures*). Advisors not complying with or disrupting the student conduct process will be removed and precluded from further participation in the process.

ACKNOWLEDGEMENT OF ADVISOR ROLE:

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). By signing this document, the student and advisor agree to the expectations provided in the document titled *Role of an Advisor*.

Student Name:	Date:	
Student Signature:	Phone & Email:	
Advisor Name:	Date:	
Advisor Signature	Phone & Fmail	

Effective date: 9/18/2017



CONSENT TO THE RELEASE OF INFORMATION

STUDENT NAM					
STUDENT IDEN					
EDUCATIONAL	duct Record				
	DRESS, EMAIL, OR FAX Y BE MADE, "AUTHORI	ZED RECIPIENT(S)"			
PURPOSE OF D	DISCLOSURE:				
☐ Transferring to	o other Institution				
☐ Graduate Colle	ege				
☐ Medical School	ol / Law School				
☐ Student Code	☐ Student Code of Conduct Procedures				
☐ Other:					
release by ASU of agrees that ASU Consent applies	of the Records to the Authorized may discuss the information	orized Recipient(s) for a contained in the Rect transfer the may otherwise be pro	State University "ASU," Student consent the Purpose identified above. The Student cords with the Authorized Recipient(s). To tected under the Family Educational Righ	t further his	
NAME (please pr	rint):		<u></u>		
SIGNATURE:			<u></u>		
DATE:			<u></u>		
PHONE AND EN	//AIL:				
For Office Use C	Only				
Request fulfilled	by:				
STAFF	(Please Print)	Signature	Date		

EXHIBIT 19



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

April 27, 2024

Nolan Quinn Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

INTERIM ACTION: FIRST NOTICE

Dear Nolan:

The Office of Student Rights and Responsibilities has received information alleging that you may have engaged in conduct that would violate the Arizona Board of Regents Student Code of Conduct. It has been reported that on Friday, April 26, 2024, during a gathering located at the Old Main lawn at the ASU Tempe campus, you failed to comply with the directives of ASU PD officers and were subsequently arrested for trespassing.

INTERIM ACTION(S)

Based on the reported behaviors, the following interim action(s) have been taken:

Effective immediately, you are placed on Interim Suspension and are trespassed from all property owned, leased, operated, or under the control of ASU. This status means you may not come to any ASU campus for any reason other than to meet with the Office of Student Rights and Responsibilities at pre-arranged times. Among other restrictions, this Interim Suspension also means you may not live on campus, attend or participate in classes (including both in-person and online), or contact your instructors for any reason. Your faculty will be notified of your status by the Office of the Dean of Students. You also may not participate in any educational or extracurricular activities, including internships or other on- and off-campus obligations tied to your ASU student status. Please be advised that should you be found on any university property, outside of approved meetings, you may be subject to arrest for trespassing. An administrative hold has been placed on your student account, which prevents any registration or admissions process.

The interim action(s) will remain in effect until a final decision has been made on the pending allegations or until Student Rights and Responsibilities believes that the reasons for imposing the interim action no longer exist.

ALLEGATIONS OF CODE OF CONDUCT VIOLATION(S)

In part, the Student Code of Conduct sets forth the standards of conduct expected of students who join the university community. The information provided indicates that there may be possible violation(s) of the Student Code of Conduct, pertinent parts of which are stated below:

- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

MEETING NOTIFICATION

As a result, Student Rights and Responsibilities has initiated an investigation into this matter.

A meeting will be set for you to attend with a staff member from the Office of Student Rights and Responsibilities. Please monitor your asu.edu e-mail address for additional information regarding the date and time of this meeting. If you have questions, please contact deanofstudents@asu.edu.

The purpose of this meeting is to review the code of conduct procedures, to explain the allegations being investigated, and to provide you the opportunity to respond to the allegations. You may bring an advisor to this meeting, to which the attached consent forms must be signed and emailed back to brian.reece@asu.edu at least 24 hours in advance of the meeting. If you need any accommodations to participate in the meeting or any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

INTERIM ACTION APPEAL PROCESS

You may provide information to Student Rights and Responsibilities to contest the interim action by <u>completing this form</u> by no later than 11:59 p.m. on **Monday, May 6, 2024**. Based on information provided, the Dean of Students, or designee, will determine whether the interim action should remain in place.

As you prepare for your participation in this investigation, we encourage you to review the <u>ABOR Student Code of Conduct</u>, <u>Student Code of Conduct Procedures</u>, and the <u>Academic Affairs Manual (ACD) 401 Policy</u>. These documents, along with a list of Frequently Asked

Questions, are also available at: https://eoss.asu.edu/dos/srr/. Please note the referenced documents contain a prohibition of retaliation against any individuals or groups that may be affiliated with this investigation as well as the prohibition of interference with the code of conduct process.

The Office of Student Advocacy and Assistance is a resource available to you should you need assistance or support during this time. You can also learn more about this resource at: https://eoss.asu.edu/dos/srr/StudentAdvocacyandAssistance

If you have questions or to reschedule the meeting, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students, including the Office of Student Advocacy and Assistance.

Sincerely,

Dr. Brian Reece

Associate Dean of Students

Student Rights and Responsibilities | Arizona State University | 480-965-9170

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

Document 90-2

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



Arizona State University

Dean of Students Office - Student Rights and Responsibilities

Role of an Advisor in the Investigative Process

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). Students are encouraged to take advantage of this provision.

The investigative proceedings are administrative and educational in nature. Students are expected to take an active role in the investigative process which includes speaking and advocating for themselves. The advisor's role is to support and assist the student through the investigative process and work with the student on how to engage in the process. Family members, attorneys, community members, and other students (as outlined below) are welcome to serve as advisors and will be held to the standards outlined here.

The student may select the advisor of their choice, but the advisor may not be engaged in the case as a witness or party. To avoid a conflict of interest, an advisor may not assist both the responding party and reporting party. The student must complete a separate release of information prior to the advisor participating in the investigative process.

During the investigative process, the advisor may:

- Accompany the student in any investigative meeting;
- Support the student throughout the process;
- Discuss the matter with the student and help the student to participate in the administrative process;
- Advise the student in providing a response or materials to SRR staff;

During the investigative process, the advisor may *not*:

- Speak/ respond for or on behalf of the student;
- Present materials or provide evidence directly to SRR;
- Ask witnesses questions;
- Receive information from SRR on behalf of the student.

SRR will schedule meetings based on the student's academic schedule and will consider reasonable requests to reschedule meetings.

During meetings with SRR, students may request breaks to consult with their advisor in private. Additionally, thoughts may be shared between advisor and student either through whisper or in writing.

The role of the advisor during the investigation process with SRR is different from the role of the advisor during an appeal with the University Hearing Board (see *Student Code of Conduct Procedures*). Advisors not complying with or disrupting the student conduct process will be removed and precluded from further participation in the process.

ACKNOWLEDGEMENT OF ADVISOR ROLE:

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). By signing this document, the student and advisor agree to the expectations provided in the document titled *Role of an Advisor*.

Student Name:	Date:	
Student Signature:	Phone & Email:	
Advisor Name:	Date:	
Advisor Signature	Phone & Fmail	

Effective date: 9/18/2017



CONSENT TO THE RELEASE OF INFORMATION

STUDENT NAM	IE:		
STUDENT IDEN	NTIFICATION NUMBER	:	
EDUCATIONAL	L RECORD(S) TO BE RE	LEASED: Student Cond	uct Record
RECORDS MAY	DRESS, EMAIL, OR FAX Y BE MADE, "AUTHORI	ZED RECIPIENT(S)":	ARTY TO WHOM DISCLOSURE OF
PURPOSE OF D	DISCLOSURE:		
☐ Transferring to	other Institution		
☐ Graduate Colle	ege		
☐ Medical School	ol / Law School		
☐ Student Code of	of Conduct Procedures		
☐ Other:			
release by ASU of agrees that ASU Consent applies	of the Records to the Authorian may discuss the information	orized Recipient(s) for the on contained in the Recort may otherwise be protected.	State University "ASU," Student consents to the ne Purpose identified above. The Student further ords with the Authorized Recipient(s). This ected under the Family Educational Rights and
NAME (please pr	int):		<u> </u>
SIGNATURE:			<u> </u>
DATE:			<u> </u>
PHONE AND EM	MAIL:		
For Office Use C	Only		
Request fulfilled	by:		
STAFF	(Please Print)	Signature	Date

EXHIBIT 20



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

April 26, 2024

Harry Smith
Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

umber:

INTERIM ACTION: FIRST NOTICE

Dear Harry:

The Office of Student Rights and Responsibilities has received information alleging that you may have engaged in conduct that would violate the Arizona Board of Regents Student Code of Conduct. It has been reported that on Friday, April 26, 2024, during a gathering located at the Old Main lawn at the ASU Tempe campus, you failed to comply with the directives of ASU PD officers and were subsequently arrested for trespassing.

INTERIM ACTION(S)

Based on the reported behaviors, the following interim action(s) have been taken:

Effective immediately, you are placed on Interim Suspension and are trespassed from all property owned, leased, operated, or under the control of ASU. This status means you may not come to any ASU campus for any reason other than to meet with the Office of Student Rights and Responsibilities at pre-arranged times. Among other restrictions, this Interim Suspension also means you may not live on campus, attend or participate in classes (including both in-person and online), or contact your instructors for any reason. Your faculty will be notified of your status by the Office of the Dean of Students. You also may not participate in any educational or extracurricular activities, including internships or other on- and off-campus obligations tied to your ASU student status. Please be advised that should you be found on any university property, outside of approved meetings, you may be subject to arrest for trespassing. An administrative hold has been placed on your student account, which prevents any registration or admissions process.

An administrative hold has been placed on your student account, which prevents any

registration or admissions process.

The interim action(s) will remain in effect until a final decision has been made on the pending allegations or until Student Rights and Responsibilities believes that the reasons for imposing the interim action no longer exist.

ALLEGATIONS OF CODE OF CONDUCT VIOLATION(S)

In part, the Student Code of Conduct sets forth the standards of conduct expected of students who join the university community. The information provided indicates that there may be possible violation(s) of the Student Code of Conduct, pertinent parts of which are stated below:

- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

MEETING NOTIFICATION

As a result, Student Rights and Responsibilities has initiated an investigation into this matter.

A meeting will be set for you to attend with a staff member from the Office of Student Rights and Responsibilities. Please monitor your asu.edu e-mail address for additional information regarding the date and time of this meeting. If you have questions, please contact deanofstudents@asu.edu.

The purpose of this meeting is to review the code of conduct procedures, to explain the allegations being investigated, and to provide you the opportunity to respond to the allegations. You may bring an advisor to this meeting, to which the attached consent forms must be signed and emailed back to dawn.russo@asu.edu at least 24 hours in advance of the meeting. If you need any accommodations to participate in the meeting or any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

INTERIM ACTION APPEAL PROCESS

You may provide information to Student Rights and Responsibilities to contest the interim action by <u>completing this form</u> by no later than 11:59 p.m. on **Friday, May 3, 2024**. Based on information provided, the Dean of Students, or designee, will determine whether the interim action should remain in place.

As you prepare for your participation in this investigation, we encourage you to review the

ABOR Student Code of Conduct, Student Code of Conduct Procedures, and the Academic Affairs Manual (ACD) 401 Policy. These documents, along with a list of Frequently Asked Questions, are also available at: https://eoss.asu.edu/dos/srr/. Please note the referenced documents contain a prohibition of retaliation against any individuals or groups that may be affiliated with this investigation as well as the prohibition of interference with the code of conduct process.

The Office of Student Advocacy and Assistance is a resource available to you should you need assistance or support during this time. You can also learn more about this resource at: https://eoss.asu.edu/dos/srr/StudentAdvocacyandAssistance

If you have questions or to reschedule the meeting, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students, including the Office of Student Advocacy and Assistance.

Sincerely,

Dr. Brian Reece

Associate Dean of Students

Student Rights and Responsibilities | Arizona State University | 480-965-9170

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation – Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student_conduct_procedures_rev_6-23-2021_Cleryfinal.pdf

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Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- c) Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

Document 90-2

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



Arizona State University

Dean of Students Office - Student Rights and Responsibilities

Role of an Advisor in the Investigative Process

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). Students are encouraged to take advantage of this provision.

The investigative proceedings are administrative and educational in nature. Students are expected to take an active role in the investigative process which includes speaking and advocating for themselves. The advisor's role is to support and assist the student through the investigative process and work with the student on how to engage in the process. Family members, attorneys, community members, and other students (as outlined below) are welcome to serve as advisors and will be held to the standards outlined here.

The student may select the advisor of their choice, but the advisor may not be engaged in the case as a witness or party. To avoid a conflict of interest, an advisor may not assist both the responding party and reporting party. The student must complete a separate release of information prior to the advisor participating in the investigative process.

During the investigative process, the advisor may:

- Accompany the student in any investigative meeting;
- Support the student throughout the process;
- Discuss the matter with the student and help the student to participate in the administrative process;
- Advise the student in providing a response or materials to SRR staff;

During the investigative process, the advisor may *not*:

- Speak/ respond for or on behalf of the student;
- · Present materials or provide evidence directly to SRR;
- Ask witnesses questions;
- Receive information from SRR on behalf of the student.

SRR will schedule meetings based on the student's academic schedule and will consider reasonable requests to reschedule meetings.

During meetings with SRR, students may request breaks to consult with their advisor in private. Additionally, thoughts may be shared between advisor and student either through whisper or in writing.

The role of the advisor during the investigation process with SRR is different from the role of the advisor during an appeal with the University Hearing Board (see *Student Code of Conduct Procedures*). Advisors not complying with or disrupting the student conduct process will be removed and precluded from further participation in the process.

ACKNOWLEDGEMENT OF ADVISOR ROLE:

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). By signing this document, the student and advisor agree to the expectations provided in the document titled *Role of an Advisor*.

Student Name:	Date:	
Student Signature:	Phone & Email:	
Advisor Name:	Date:	
Advisor Signature	Phone & Fmail	

Effective date: 9/18/2017



CONSENT TO THE RELEASE OF INFORMATION

STUDENT NAME:	
STUDENT IDENTIFICATION NUMBER:	
EDUCATIONAL RECORD(S) TO BE RELEASED: Student Conduct Record	
NAME AND ADDRESS, EMAIL, OR FAX NUMBER OF THE PARTY TO WHOM DISCI RECORDS MAY BE MADE, "AUTHORIZED RECIPIENT(S)":	OSURE OF
PURPOSE OF DISCLOSURE:	
☐ Transferring to other Institution	
☐ Graduate College	
☐ Medical School / Law School	
☐ Student Code of Conduct Procedures	
□ Other:	
By presenting a signed and dated copy of this Consent to Arizona State University "ASU," State Pelease by ASU of the Records to the Authorized Recipient(s) for the Purpose identified above agrees that ASU may discuss the information contained in the Records with the Authorized I Consent applies to educational records that may otherwise be protected under the Family Ed Privacy Act of 1974, as amended, 20 U.S.C. 1232g.	e. The Student further Recipient(s). This
NAME (please print):	
SIGNATURE:	
DATE:	
PHONE AND EMAIL:	
For Office Use Only	
Request fulfilled by:	
STAFF (Please Print) Signature	Date

EXHIBIT 21



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

May 3, 2024

Guadalupe Chavez
Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

INTERIM ACTION: FIRST NOTICE

Dear Guadalupe:

The Office of Student Rights and Responsibilities has received information alleging that you may have engaged in conduct that would violate the Arizona Board of Regents Student Code of Conduct. It has been reported that on or around Saturday, April 27, 2024, during a gathering located at the Old Main lawn at the ASU Tempe campus, you failed to comply with the directives of ASU PD officers and were subsequently arrested for trespassing.

INTERIM ACTION(S)

Based on the reported behaviors, the following interim action(s) have been taken:

Effective immediately, you are placed on Interim Suspension and are trespassed from all property owned, leased, operated, or under the control of ASU. This status means you may not come to any ASU campus for any reason other than to meet with the Office of Student Rights and Responsibilities at pre-arranged times. Among other restrictions, this Interim Suspension also means you may not live on campus, attend or participate in classes (including both in-person and online), or contact your instructors for any reason. This does not prevent you from asking a staff or faculty member to serve as your Advisor during the investigation. If you are currently enrolled, your faculty will be notified of your status by the Office of the Dean of Students. You also may not participate in any educational or extracurricular activities, including internships or other on- and off-campus obligations tied to your ASU student status. Please be advised that should you be found on any university property, outside of approved meetings, you may be subject to arrest for trespassing. An administrative hold has been placed on your student account, which

prevents any registration or admissions process.

The interim action(s) will remain in effect until a final decision has been made on the pending allegations or until Student Rights and Responsibilities believes that the reasons for imposing the interim action no longer exist.

ALLEGATIONS OF CODE OF CONDUCT VIOLATION(S)

In part, the Student Code of Conduct sets forth the standards of conduct expected of students who join the university community. The information provided indicates that there may be possible violation(s) of the Student Code of Conduct, pertinent parts of which are stated below:

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - FAC 115: Overnight Use of University Property
 - ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

MEETING NOTIFICATION

As a result, Student Rights and Responsibilities has initiated an investigation into this matter.

A meeting will be set for you to attend with a staff member from the Office of Student Rights and Responsibilities. Please monitor your asu.edu e-mail address for additional information regarding the date and time of this meeting. If you have questions, please contact deanofstudents@asu.edu.

The purpose of this meeting is to review the code of conduct procedures, to explain the allegations being investigated, and to provide you the opportunity to respond to the allegations.

You may bring an advisor to this meeting, to which the attached consent forms must be signed and emailed back to brian.reece@asu.edu at least 24 hours in advance of the meeting. If you need any accommodations to participate in the meeting or any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

INTERIM ACTION APPEAL PROCESS

You may provide information to Student Rights and Responsibilities to contest the interim action by <u>completing this form</u> by no later than 11:59 p.m. on **Friday, May 10, 2024**. Based on information provided, the Dean of Students, or designee, will determine whether the interim action should remain in place.

As you prepare for your participation in this investigation, we encourage you to review the ABOR Student Code of Conduct, Student Code of Conduct Procedures, and the Academic Affairs Manual (ACD) 401 Policy. These documents, along with a list of Frequently Asked Questions, are also available at: https://eoss.asu.edu/dos/srr/. Please note the referenced documents contain a prohibition of retaliation against any individuals or groups that may be affiliated with this investigation as well as the prohibition of interference with the code of conduct process.

The Office of Student Advocacy and Assistance is a resource available to you should you need assistance or support during this time. You can also learn more about this resource at: https://eoss.asu.edu/dos/srr/StudentAdvocacyandAssistance

If you have questions or to reschedule the meeting, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students, including the Office of Student Advocacy and Assistance.

Sincerely,

Dr. Brian Keece

Associate Dean of Students

Student Rights and Responsibilities | Arizona State University | 480-965-9170

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



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Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation – Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

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ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

Document 90-2

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- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



Arizona State University

Dean of Students Office - Student Rights and Responsibilities

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Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). Students are encouraged to take advantage of this provision.

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During the investigative process, the advisor may:

- Accompany the student in any investigative meeting;
- Support the student throughout the process;
- Discuss the matter with the student and help the student to participate in the administrative process;
- Advise the student in providing a response or materials to SRR staff;

During the investigative process, the advisor may *not*:

- Speak/ respond for or on behalf of the student;
- Present materials or provide evidence directly to SRR;
- Ask witnesses questions;
- Receive information from SRR on behalf of the student.

SRR will schedule meetings based on the student's academic schedule and will consider reasonable requests to reschedule meetings.

During meetings with SRR, students may request breaks to consult with their advisor in private. Additionally, thoughts may be shared between advisor and student either through whisper or in writing.

The role of the advisor during the investigation process with SRR is different from the role of the advisor during an appeal with the University Hearing Board (see *Student Code of Conduct Procedures*). Advisors not complying with or disrupting the student conduct process will be removed and precluded from further participation in the process.

ACKNOWLEDGEMENT OF ADVISOR ROLE:

Reporting parties and respondents are permitted to have an advisor during the investigative process with Student Rights and Responsibilities ("SRR"). By signing this document, the student and advisor agree to the expectations provided in the document titled *Role of an Advisor*.

Student Name:	Date:	
Student Signature:	Phone & Email:	
Advisor Name:	Date:	
Advisor Signature	Phone & Fmail	

Effective date: 9/18/2017



CONSENT TO THE RELEASE OF INFORMATION

STUDENT NAME:	
STUDENT IDENTIFICATION NUMBER:	
EDUCATIONAL RECORD(S) TO BE RELEASED: Student Conduct Record	
NAME AND ADDRESS, EMAIL, OR FAX NUMBER OF THE PARTY TO WHOM DISCLORED MAY BE MADE, "AUTHORIZED RECIPIENT(S)":	OSURE OF
PURPOSE OF DISCLOSURE:	
☐ Transferring to other Institution	
☐ Graduate College	
☐ Medical School / Law School	
☐ Student Code of Conduct Procedures	
□ Other:	
By presenting a signed and dated copy of this Consent to Arizona State University "ASU," Sturelease by ASU of the Records to the Authorized Recipient(s) for the Purpose identified above agrees that ASU may discuss the information contained in the Records with the Authorized R Consent applies to educational records that may otherwise be protected under the Family Edu Privacy Act of 1974, as amended, 20 U.S.C. 1232g.	e. The Student further ecipient(s). This
NAME (please print):	
SIGNATURE:	
DATE:	
PHONE AND EMAIL:	
For Office Use Only	
Request fulfilled by:	
STAFF (Please Print) Signature	Date

EXHIBIT 22

ARIZONA BOARD OF REGENTS POLICY MANUAL

5-308 Student Code of Conduct

Revision Dates

2/14/2020, 9/28/2018 (effective 8/23/2018), 6/15/2018 (effective 4/6/2018), 2/8/2018, 6/5/2015, 11/21/2014, 9/26/2014, 6/15/2012, 4/8/2011, 9/25/2009, 8/14/2008, 9/1/2000, 6/1/1990 (adopted)

A. Jurisdiction and Authority

- 1. Under Arizona law, the Arizona Board of Regents is responsible for the control and supervision of the state universities and their properties and activities. The board is authorized to enact ordinances for the governance of the universities and the maintenance of public order upon all property under its jurisdiction. The board has promulgated this Student Code of Conduct in order to meet its responsibilities under Arizona law. Enforcement of this Student Code of Conduct is subject to applicable law, including constitutional protections for speech, association and the press.
- 2. The presidents are authorized to enforce the Student Code of Conduct. University presidents are also authorized to limit the application of this policy with respect to university property leased by the university to third parties, as set forth below.
- 3. Actions taken under the Student Code of Conduct are administrative and not criminal in nature. Therefore, a student can be found responsible under the Student Code of Conduct even if the underlying conduct would not also constitute a criminal offense, and even if a prosecutor has determined not to prosecute as a criminal matter or the student has been found not guilty in a criminal proceeding.
- 4. For purposes of interpreting words and phrases not otherwise defined in the Student Code of Conduct, every day and common usages and understanding shall apply, and external sources may be consulted for guidance.
- 5. Students may be accountable to both civil and criminal authorities and to the university for acts of misconduct that constitute violations of the Student Code of Conduct. At the discretion of university officials, educational interventions or disciplinary action at the university may proceed before, during, or after other proceedings. Sanctions may be imposed for acts of misconduct that occur on university property or at any university-sponsored activity. As further prescribed in these rules, offcampus conduct may also be subject to educational interventions or discipline. With respect to student organizations, and their members,

Article C: Code of Conduct

Case 2:24-cv-00987-JJT Document 90-2 Filed 04/15/25 Page 52 of 187

ARIZONA BOARD OF REGENTS

Policy 5-308, Student Code of Conduct

university jurisdiction extends to premises used or controlled by the organizations on or off campus.

B. Philosophy

- 1. The aim of education is the intellectual, personal, social, and ethical development of the individual. The educational process is ideally conducted in an environment that encourages reasoned discourse. intellectual honesty, openness to constructive change, and respect for the rights of all individuals. Self -discipline and a respect for the rights of others in the university community are necessary for the fulfillment of such goals. The Student Code of Conduct is designed to promote this environment at each of the state universities.
- 2. The Student Code of Conduct sets forth the standards of conduct expected of students who choose to join the university community.
- 3. A university may respond to violations of these standards with educational interventions or disciplinary sanctions.

C. Scope

- 1. The adoption of the Student Code of Conduct does not prohibit any university or the board from adopting or maintaining additional rules to govern the conduct of students. Allegations of misconduct brought under the Student Code of Conduct may be combined with allegations arising under other university or board rules.
- 2. Each university may adopt policies and procedures for reviewing allegations of academic dishonesty.
- 3. The Student Code of Conduct applies to individual students and to student organizations.
- 4. Students and student organizations are also subject to the following rules:
 - Rules adopted by each university to govern the control of vehicles a. and other modes of transportation on university property,
 - b. Rules relating to student classroom conduct, academic dishonesty, and academic eligibility, performance, and evaluation,
 - Rules governing student housing, C.

d. Rules governing the maintenance of public order,

Article C: Code of Conduct

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ARIZONA BOARD OF REGENTS

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e. Rules governing the conduct of student athletes,

- f. Rules governing the use of university communication and computing resources, and
- g. Such other rules as may be adopted by the board, or the universities in furtherance of university and educational goals.

D. Student Organizations

- 1. Student organizations may be charged with violations of the Student Code of Conduct to the same extent as students.
- Student organizations, as well as their members and other students, may also be held collectively and/or individually responsible for violations including but not limited to misconduct that occurs: (a) on university property; (b) on premises used or controlled by the organization; (c) at university-sponsored activities; or (d) in violation of university hazing policies.
- 3. The officers or leaders of a student organization may be held collectively and/or individually responsible when such violations are committed by persons associated with the organization who have received consent or encouragement from the organization's officers or leaders or if those officers or leaders knew or should have known that such violations were being or would be committed.
- 4. The officers or leaders of a student organization may be directed to take action designed to prevent or end such violations by the organization or by any persons associated with the organization. Failure to comply with a directive may be considered a violation of the Student Code of Conduct, both by the officers or leaders of the organization and by the organization.

E. Definitions

- "Advisor" means an individual selected by the student to advise him/her.
 The advisor may be a faculty or staff member, student, attorney, or other
 representative of the student.
- 2. "Board" means the Arizona Board of Regents.
- 3. "Complainant" means any individual who initiates the referral procedures set forth in the Student Code of Conduct Procedures.

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"Consent" in the context of sexual activity means informed and freely 4. given words or actions that indicate a willingness to participate in mutually agreed upon sexual activity.

Consent may not be inferred from: 1) silence, passivity or lack of resistance, 2) a current or previous dating or sexual relationship, 3) acceptance or provision of gifts, meals, drinks, or other items or 4) previous consent to sexual activity.

Consent may be withdrawn during sexual activity. Consent to one form of consensual sexual activity does not imply consent to any other form of sexual activity.

Consent may not be obtained through physical force, violence, duress, intimidation, coercion, or an express or implied threat of injury.

Consent may never be given by a person who is: incapacitated (by drugs, alcohol or otherwise), unconscious, asleep, or otherwise physically or mentally unable to make informed, rational judgments. The use of alcohol or drugs does not diminish one's responsibility to obtain consent and does not excuse conduct that violates this Student Code of Conduct.

Consent cannot be given by someone who, by virtue of age, circumstances or other factors, is deemed by law to be incapable of giving consent.

- 5. "Controlled substance" means a drug or substance whose use, possession, or distribution is controlled under state or federal law.
- 6. "Day" means university business day, not including Saturday, Sunday, any officially recognized university employee holiday, or any day the university is closed.
- 7. "Dangerous Instrument" means anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.
- 8. "Dean of Students" or "Dean" means the administrative officer responsible for administration of student conduct bearing this or similar title and includes his/her designee.
- 9. "Distribution" means sale, exchange, transfer, delivery, or gift.
- 10. "Educational Response or Intervention": The dean of students may require a student to complete an educational program at the student's expense, write a paper or letter of apology, engage in community service,

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or assign other educational responses to address the student's conduct.

- 11. "Endanger" means to bring into danger or peril.
- 12. "Explosive" refers to dynamite, nitroglycerin, black powder, or other explosive material or bomb including plastic explosives; any breakable container that contains a flammable liquid with a flash point of 150°F or less and has a wick or similar device capable of being ignited.
- 13. "Fabrication" means falsification or creation of false data or information.
- 14. "Fireworks" refers to any fireworks, fire crackers, sparklers, rockets, and any propellant-activated device whose intended purpose is primarily for illumination.
- 15. "Gambling" shall have the same meaning as defined by Arizona law.
- 16. "Hazing" means either (a) any intentional, knowing or reckless act committed by a student, whether individually, or in concert with other persons, against another person, in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with a university that contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation; or (b) any act otherwise defined as hazing under applicable law. Hazing includes, but is not limited to, paddling in any form, physical or psychological shocks, late work sessions that interfere with scholastic activities, advocating or promoting alcohol or substance abuse, tests of endurance, submission of members or prospective members to potentially dangerous or hazardous circumstances or activities which have a foreseeable potential for resulting in personal injury, or any activity which by its nature may have a potential to cause mental distress, panic, human degradation, or embarrassment.
- 17. "Illegal drug" means any drug whose manufacturing, use, possession, or distribution is prohibited or restricted by state or federal law.
- 18. "Personal Safety Devices:" each university will maintain and publish a list of permitted personal safety devices to include personal alarms, chemical repellents and other devices designed to protect personal safety from physical attacks by other people. Each university will also publish the process by which an individual may seek to have a device added to the list of permitted devices.
- 19. "President" means the president of the university or his/her designee.

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20. "Sexual misconduct" means one or more of the following:

- Sexual violence and other non-consensual sexual contact actual or attempted physical sexual acts perpetrated against a person by force or without consent; or
- b. Sexual harassment unwelcome conduct of a sexual nature that is sufficiently severe or pervasive as to create an intimidating, hostile, or offensive environment; or
- c. Other unwanted or non-consensual sexual conduct including but not limited to indecent exposure, sexual exploitation or voyeurism, or non-consensual photographing or audio-recording or videorecording of another in a state of full or partial undress or while engaged in sexual activity, or publishing or disseminating such materials.
- 21. "Smoking" means the burning of, inhaling from, exhaling the smoke from, the possession of a lighted cigar, cigarette, pipe, hookah, water pipes or any other matter or substance that contains tobacco or any other matter that can be smoked, or inhaling or exhaling of smoke or vapor from an electronic smoking device. "Electronic smoking device" means a device that simulates smoke through inhalation of vapor or aerosol from the device, including e-cigarettes, e-cigars, e-pipes, and vape pens.
- 22. "Stalking" means engaging in a course of conduct that is directed toward another person if that conduct would cause a reasonable person to suffer substantial emotional distress or to fear for the person's safety or the safety of that person's immediate family member or close acquaintance, and that person in fact fears for his/her safety or the safety of that person's immediate family member or close acquaintance.
- 23. "Student" for purposes of this Student Code of Conduct means any person who is currently admitted or registered or who participates in a university function, such as orientation, in anticipation of enrollment, or who was enrolled in a previous term or who is or was registered for a future term, including a faculty member or other employee so admitted, registered, or enrolled.
- 24. "Student organization" means an organization or group which has been registered or has received recognition according to university policies and procedures or is affiliated with a university.
- 25. "Title IX" means Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 et seq.

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- 26. "Title IX Coordinator" means the individual designated by each University to oversee compliance with the nondiscrimination and anti-harassment provisions of the Student Code of Conduct.
- 27. "University" means either the University of Arizona, Arizona State University, Northern Arizona University, or any other university campus or division governed by the board.
- 28. "University community" means all university students, employees, and quests.
- 29. "University property" means all resources, including but not limited to real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or the board. A university president may limit the definition of "university property" for purposes of this policy to exclude certain property owned by the university and leased to a third party. Any such limitation will be in writing, such as a lease, other agreement or university policy. If property is excluded from the definition of "university property" pursuant to such limitation, it will be treated as off-campus property under this policy.
- 30. "University-sponsored activity" means any activity on or off campus authorized, supervised, or controlled by a university.
- 31. "Vice President for Student Affairs" means the administrative officer bearing such title, similar title, or his/her designee.
- 32. "Weapon" refers to any object or substance designed to (or which could be reasonably expected to) inflict a wound, cause injury, incapacitate, or cause death, including, without limitation, all firearms (loaded and unloaded, simulated and real), devices designed to expel a projectile (such as bb guns, air guns, pellet guns, and potato guns), swords, knives with blades of 5 inches or longer, martial arts weapons, bows and arrows, and chemicals such as tear gas, but personal safety devices as defined above are not included in the definition of "weapon."

F. **Prohibited Conduct**

1. All forms of student academic dishonesty, including but not limited to cheating, fabrication, facilitating academic dishonesty, and plagiarism.

2. Endangering, threatening, or causing physical harm to any member of the university community or to oneself, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm.

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- 3. Violating the terms of any disciplinary sanction imposed for an earlier violation of the Student Code of Conduct or other board or university rules.
- 4. Violation of, or attempt to violate, other rules that may be adopted by the board or by the university.
- 5. Impersonation of another, using another person's identity, or furnishing materially false information, including manufacturing or possession of false identification.
- 6. Initiating, causing, or contributing to any false report, warning, or threat of fire, explosion, or other emergency.
- 7. Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against selfincrimination.
- 8. Forgery, falsification, fabrication, unauthorized alteration, or misuse of campus documents, records, or identification, including, but not limited to, electronic software and records.
- 9. Unauthorized presence in or unauthorized use of university property. resources, or facilities.
- 10. Unauthorized access to, disclosure of, or use of any university document, record, or identification, including but not limited to, electronic software, data, and records.
- 11. Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing, or emergency services.
- 12. Misrepresenting oneself or an organization as an agent of a university.
- 13. Possession of property the student knows or has reason to believe may be stolen or misappropriated.
- 14. Misuse, theft, misappropriation, destruction, damage, or unauthorized use, access, or reproduction of property, data, records, equipment, or services belonging to the university or belonging to another person or entity.

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15. Violation of the board or university rules or applicable laws governing alcohol, including consumption, distribution, unauthorized sale, or possession of alcoholic beverages.

- 16. Unauthorized use, sale, possession, or distribution of any controlled substance or illegal drug or possession of drug paraphernalia that would violate the law.
- 17. Off-campus conduct that a reasonable person would believe may present a risk or danger to the health, safety or security of the board or university community or to the safety or security of the board or university property.
- 18. Gambling as prohibited by applicable law, university policy, or associated with any university event.
- 19. Engaging in, supporting, promoting, or sponsoring hazing or violating the board or university rules governing hazing.
- 20. Stalking or engaging in repeated or significant behavior toward another individual, whether in person, in writing, or through electronic means, after having been asked to stop, or doing so to such a degree that a reasonable person, subject to such contact, would regard the contact as unwanted.
- 21. Engaging in discriminatory activities, including harassment and retaliation, as prohibited by applicable law or university policy.
- 22. Interfering with any university review, investigative or disciplinary process, including but not limited to tampering with physical evidence or inducing a witness to provide false information or to withhold information.
- 23. Sexual misconduct.
- 24. Use, possession, display, or storage of any weapon, dangerous instrument, explosive material or device, torch, device with open flames, fireworks, bomb-making materials, or dangerous chemical on university property, at a university sponsored activity or in violation of law or university policy, is not permitted unless one of the following exceptions apply:
 - a. Subject to A.R.S. §12-781 and other applicable law, a person may lawfully transport or lawfully store a firearm that is both 1) in the person's locked and privately owned motor vehicle or in a locked compartment on the person's privately owned motorcycle, and 2) not visible from the outside of the motor vehicle or motorcycle, although the board or a university may require that vehicles

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transporting or storing firearms be parked in alternative parking as described in A.R.S. §12-781, or

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- b. Use, possession, display or storage is specifically authorized by an Arizona or federal statute governing law enforcement officers or in writing by university officials with the authority to grant such permission, or
- Universities may permit students to possess certain potentially C. dangerous instruments, and limited quantities of chemicals or other dangerous materials if they are used for academic and other legitimate purposes, if the presence of these items does not present an undue risk to the campus or community, and if the proposed use, possession, display or storage of these items has been expressly approved in writing by an authorized university representative.
- d. The possession or use for self-defense of personal safety devices are not prohibited by this section.
- 25. Photographing, videotaping, filming, digitally recording, or by any other means secretly viewing, with or without a device, another person without that person's consent in any location where the person has a reasonable expectation of privacy, or in a manner that violates a reasonable expectation of privacy. This section does not apply to lawful security or surveillance filming or recording that is authorized by law enforcement or authorized university officials.
- 26. Commission of any offense prohibited by state or federal law or local ordinance.
- 27. Smoking, the use of and the sale of tobacco products, and the use of and the sale of smokeless tobacco products, including all electronic smoking devices, in or on all university property unless an express exception is provided by the university president for certain leased property or pursuant to university policy. In addition, universities may provide exceptions for smoking cessation products, controlled research, educational programs, traditional, cultural or religious purposes or other uses permitted by the university if approved in advance by designated university personnel or pursuant to university policy.

Any attempt to commit or conceal an act of misconduct prohibited by these rules is subject to sanctions to the same extent as completed acts.

G. University Responses to Alleged Code Violations

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1. In addition to, or in place of, an educational response or intervention, the dean of students may impose one or more of the following disciplinary sanctions (e.g., expulsion, suspension, or degree revocation) or take administrative action (e.g., probation, warning, administrative hold, interim action) for any violation of the Student Code of Conduct:

- a. Expulsion: Permanent separation of the student from the university. An indication of expulsion may appear on the student's transcript. The expelled student will not participate in any university-sponsored activity and will be barred from university property. An expelled student will be ineligible to attend Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the board unless approved according to paragraph G.2 (a) and (b).
- b. Suspension: Temporary separation of the student from the university for a specified period of time, or until specific conditions, if imposed, have been met. An indication of suspension may appear on the student's transcript. Except where prior approval has been granted by the Dean of Students, a suspended student will not participate in any university-sponsored activity and will be barred from the university campus. A suspended student will be ineligible to attend Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the board until the conditions of suspension have been met.
- c. Degree Revocation: A university may revoke a degree, certificate or other academic recognition previously awarded by that university to a student. Notice of any degree revocation will appear on the student's transcript. If the university previously communicated the award of a degree, certificate, or other academic recognition to a third party, it may provide notice to that entity of the revocation.
- d. Probation: Removal of the student from good conduct standing. Additional restrictions or conditions may also be imposed. Probation will last for a stated period of time and until specific conditions, if imposed, have been met. Any violation of these rules, the conditions of probation, or other university rules committed during the probationary period will subject the student to further discipline, including suspension or expulsion.
- e. Warning: A written statement advising the student that a violation of the Student Code of Conduct has been committed and that further misconduct may result in more severe disciplinary action.

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f. Administrative Hold: A status documented in the registrar's official file which may preclude the student from registering, from receiving transcripts, or from graduating until clearance has been received from the Dean of Students in accordance with university rules.

- g. Restricted Access to University Property: A student's access to university property, including but not limited to research, communication, and computing resources, may be restricted for a specified period of time or until certain conditions are met.
- h. Organizational Sanctions: Sanctions for organizational misconduct may include revocation of the use of university property or privileges for a period of time, revocation or denial of recognition or registration, or suspension of social or intramural activities or events, as well as other appropriate sanctions permitted under the Student Code of Conduct or other rules of the university.
- Interim Action: The dean of students may impose restrictions on a student or suspend a student for an interim period prior to resolution of the Student Code of Conduct proceeding.
- j. Academic Conduct: Each university may adopt procedures regarding student conduct that takes place while participating in academic activities. These procedures may outline sanctions including but not limited to lower-level warnings, administrative drop from a particular class, or other sanctions as appropriate.
- k. Restitution: Payment to the university or to other persons, groups, or organizations for damage to property or costs incurred as a result of the violation of this Student Code of Conduct.
- I. Notation on Transcript.
- m. Other sanctions permissible under existing university rules.
- 2. A student who has been suspended or expelled from one university will be ineligible for admission, enrollment, re-enrollment or re-admission to Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the board except as follows:
 - a. Each university may adopt rules and procedures to consider a request for readmission from a student who has been previously suspended or expelled, which shall include criteria to be used in evaluating a request for readmission, and shall provide that a decision to readmit must be approved by the Vice President for

Student Affairs at the admitting university.

b. Except as set forth in Section G.2.a, a student who has been suspended or expelled at one university will not be eligible for admission or re-enrollment at another university governed by the board until the student has met the conditions for reinstatement at the university which imposed the suspension or expulsion. The conditions for reinstatement may be waived in whole or in part at the discretion of the Vice President for Student Affairs at the admitting university.

Η. **Determining What Sanction to Impose**

- 1. Mitigating and aggravating factors may be considered. Factors to be considered in mitigation or aggravation include the individual's prior conduct record, the nature of the offense, the severity of any damage, injury, or harm resulting from the violation, the payment of restitution to the university or to any victims, or any other factors deemed appropriate under the circumstances, including but not limited to the individual's participation in an approved counseling program.
- 2. Repeated violations of the Student Code of Conduct may result in the imposition of progressively more severe sanctions, although any sanction may be imposed as appropriate under the circumstances.

I. Enforcement

- 1. Student sanctions shall be enforced through use of procedures adopted by each university that are consistent with board policies and applicable laws and regulations
- 2. Sanctions for organizational misconduct shall be enforced through the use of the procedures adopted by each university, consistent with board policies and applicable laws and regulations

J. Miscellaneous provisions

- 1. The description of prohibited conduct shall be interpreted as broadly as consistent with applicable law.
- 2. The presidents are authorized by the board to take other actions or to adopt other rules to protect university property and the safety and wellbeing of members of the university community and the public.

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Policy History	
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8/23/2018	Policy revision approved by the Board on first reading with immediate implementation.
9/28/2018	Policy revision approved by the Board on second reading.
2/14/2020	Policy revision approved by the Board on second reading.

Related Information

EXHIBIT 23

Student Code of Conduct Procedures

These grievance procedures govern Student Code of Conduct violations, except those involving (a) academic integrity, or (b) formal complains of Title IX sexual harassment, for which there are different procedures/process.

For purposes of these Student Code of Conduct Procedures, "sexual misconduct" includes the definition in ABOR policy 5-308(E)(20), stalking as defined in ABOR policy 5-308(E)(21), as well as any code violations related to domestic or dating violence, to the extent that the alleged conduct does not fall within the scope of Title IX sexual harassment.

The term "parties" refers to the Dean of Students and the student charged with misconduct. In sexual misconduct matters or other matters involving violence, the person(s) against whom the alleged misconduct was committed also has the opportunity to participate as a party if they are a member of the University community (e.g., faculty, staff, student, or affiliate).

These procedures provide a fair and impartial administrative process. Consistent with ABOR 5-308(A)(3), "a student can be found responsible under the Student Code of Conduct even if the underlying conduct would not also constitute a criminal offense, and even if a prosecutor has determined not to prosecute [the underlying conduct] as a criminal matter or the student has been found not guilty in a criminal proceeding."

The responsibilities of the Senior Vice President for Educational Outreach and Student Services or the Dean of Students under this policy may be performed by a designee.

A. Goals of the Student Code of Conduct and Procedures

- 1. The ABOR Student Code of Conduct sets forth the standards of conduct expected of students who choose to join the university community.
- 2. When a student violates the ABOR Student Code of Conduct, they will be held accountable and appropriate remedial action will be taken to address the violation. Remedial actions are meant to be educational, not punitive. They affirm university standards and encourage students to make better choices in the future. Remedial actions may include administrative actions, educational interventions, and/or discipline.
 - a. Administrative actions include, but are not limited to: probation, warning, administrative hold, restricted access to university property, and interim actions such as interim suspension, immediate removal from university housing, or exclusion from one or more classes. Administrative actions are not disciplinary.
 - b. Educational interventions include, but are not limited to: completing an educational program at the student's expense, writing a paper, engaging in

- community service, or any other assignment to address the student's conduct. These educational interventions are not considered discipline and processes leading to assignment of an educational intervention are not considered disciplinary proceedings.
- c. Disciplinary sanctions include: suspension (except for an interim suspension which is an administrative action), expulsion, or degree revocation. The effective date of a suspension (except for an interim suspension) or expulsion may be no sooner than five (5) business days following the date of the notice.

B. Initiation of Investigation

- 1. On receipt of information from any source that a student may have violated the Student Code of Conduct, Student Rights and Responsibilities will evaluate the information to determine an appropriate course of action to gather the facts concerning the alleged violation. A student alleged to have violated the Student Code of Conduct will be provided notice of the alleged misconduct and will be provided an opportunity to respond.
- 2. Where the alleged misconduct is related to discrimination or harassment, Student Rights and Responsibilities will inform the Office of University Rights and Responsibilities and in sexual misconduct cases, the Title IX Coordinator
- 3. Student Rights and Responsibilities will provide the parties with written information on supportive services available at the university and in the community. In sexual misconduct cases, complainant will be provided information on how to file a formal complaint of Title IX sexual harassment in cases involving matters that could fall within the definition of Title IX sexual harassment. Complainant will be provided supportive measures, whether or not they decide to file a formal complaint.

C. Interim Action

- 1. If the Dean of Students is aware of information that supports a misconduct allegation that may lead to imposing a disciplinary sanction, and the Dean believes that the student poses a threat of harm or substantial disruption, the Dean may take administrative action to restrict or suspend a student for an interim period. The interim action will remain in effect until a final decision has been made on the pending charges or until the Dean of Students believes that the reason(s) for imposing the interim action no longer exist.
- 2. The decision to restrict or suspend a student for an interim period, and the information upon which the interim restriction or interim suspension is based, will be communicated in writing to all parties.
- 3. A student who is restricted from campus or suspended for an interim period may request an opportunity to provide information to contest the restriction or interim suspension no later than five (5) business days following the effective date of the interim action. Based on information provided, the Dean of Students will determine

- whether the restriction or interim suspension should remain in place, be modified, or be lifted. The parties shall have an equal opportunity to provide information relevant to the restriction or interim suspension.
- 4. The Dean of Students may impose other forms of interim administrative action, such as, but not limited to, immediate removal from university housing, exclusion from one or more classes, or exclusion from other specific locations.

D. Investigation Process

- 1. If Student Rights and Responsibilities believes that there is sufficient basis that a violation of the Student Code of Conduct may have occurred, they will notify the student in writing of the alleged violation and initiate an investigation.
- 2. Members of the university community are expected to comply with any request or directive issued by Student Rights and Responsibilities in connection with an investigation.
- 3. Student Rights and Responsibilities will provide advance notice to a party of any code of conduct meeting with the party. In addition, a party will be given access to information that will be used during the code of conduct meeting as permissible under the Family Educational Rights and Privacy Act (FERPA).
- 4. Student Rights and Responsibilities will provide all parties the following:
 - a. An explanation of the charges which have been made;
 - b. A summary of the information gathered;
 - c. A reasonable opportunity for the student to reflect upon and respond to the charge(s); and
 - d. An explanation of the applicable code of conduct procedures, including the right to request a hearing before a University Hearing Board if a disciplinary sanction is imposed.
- 5. Before concluding an investigation, Student Rights and Responsibilities will provide the parties with an opportunity to respond to all investigative materials.
- 6. Students may accept responsibility for Student Code of Conduct violations and waive their rights to procedures provided by this policy. A student who fails to attend the meeting with Student Rights and Responsibilities will forfeit the right to respond to the alleged violation, unless the student can demonstrate that an extraordinary circumstance prevented the student's appearance. If the student fails to attend the meeting, the Dean may proceed as described in paragraph E of this subsection.

E. Determination and Appeal

1. The Dean of Students will determine whether it is more likely than not that a violation of the Student Code of Conduct has occurred and, if so, the appropriate administrative action, educational intervention, and/or disciplinary sanction to apply.

- 2. In determining the administrative action, educational intervention. or disciplinary sanction, the Dean will consider any mitigating or aggravating factors, including any prior violations of the Student Code of Conduct. In sexual misconduct cases, the Dean will endeavor to make the determination within ninety (90) days from the opening of the conduct file. Reasons for any delay will be documented.
- 3. The Dean of Students will simultaneously provide the parties a written decision within five (5) business days of making the determination. The written decision will state whether the charge(s) was substantiated. If substantiated, the decision will state the administrative action, educational intervention, or disciplinary sanction to be imposed. This decision is final unless a party requests a hearing to review a disciplinary sanction.
- 4. If a disciplinary sanction is imposed, the student (and in sexual misconduct cases, the complainant if a member of the University community) will be informed of the right to request a hearing before a University Hearing Board by filing a written request with the Dean of Students no later than five (5) business days following the date of the written decision.
- 5. The filing of a timely written request for a hearing will suspend the imposition of the disciplinary sanction (except for interim restriction(s) or interim suspension which shall continue) pending the outcome of the hearing. A student who requests a hearing of a disciplinary sanction of suspension or expulsion will not be permitted to graduate until the hearing process has been concluded. If the disciplinary sanction is degree revocation, the university may refuse to release an official transcript until the hearing process has been concluded. If no hearing request is received within five (5) business days following the date of the written decision, then the decision is final and effective immediately.

F. University Hearing Board Disciplinary Proceedings Review

- 1. Purpose of the Hearing Board. The Hearing Board is the body that conducts hearings concerning disciplinary sanctions. It is advisory and provides a recommendation to the Senior Vice President for Educational Outreach and Student Services who will make the final decision.
- 2. Composition of the Hearing Board.
 - a. The Hearing Board will be comprised of three members. One member must be a student and one of the other members will act as Hearing Board Chair.
 - b. Each Hearing Board member shall at a minimum receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking, and how to conduct an investigation and hearing process that protects the safety of individuals and promotes accountability.

3. Pre-Hearing Procedures

- a. The Hearing Board members will be notified in writing of their selection.
- b. The Hearing Board Chair shall set a hearing date no later than ninety (90) calendar days after receipt of the request for hearing.
- c. The Hearing Board Chair will prepare and send a written notice of the hearing to the parties no less than twenty calendar (20) days before the date set for the hearing. The notice will be directed to the student's ASU e-mail address. The notice will include:
 - 1) A statement of the date, time, location, and nature of the hearing, including a statement of the Hearing Board's jurisdiction;
 - 2) A copy of the disciplinary sanction letter containing references to the code violations and a short statement describing the misconduct;
 - 3) A notice of the right to be assisted by an advisor or represented by an attorney which explains that exercise of this right is at the option of the party and at the party's sole expense;
 - 4) A copy of or link to the Student Code of Conduct and the "Student Code of Conduct Procedures";
 - 5) A list of the names of all Hearing Board members, and the university address of the Chair;
 - 6) The length of time set for the hearing and the time limitation for the presentation of evidence; and
 - 7) In sexual misconduct cases, notice regarding the restrictions on evidence of past sexual history and notice that the parties may not directly question one another but must submit written requests to the Chair.
- d. If any of the parties cannot attend the hearing on the date scheduled for the hearing due to extraordinary circumstances, the Hearing Board Chair must be notified in writing stating the circumstances why attendance cannot occur at the hearing on the date scheduled. The Hearing Board Chair will determine whether to approve or deny the request to reschedule the hearing.
- e. No later than five (5) business days before the hearing, the parties shall exchange and provide a copy to the Hearing Board of the following:
 - 1) A list of the names of the witnesses who may be called to testify at the hearing;
 - 2) A concise summary of the anticipated statements of each witness;
 - 3) Copies of all documents to be presented at the hearing; and
 - 4) If an advisor or attorney is being used, the name of the advisor or attorney.
 - 5) In addition, the university shall provide the name and title of the university

representative.

- f. The Hearing Board Chair or designated staff shall confirm the parties' attendance at the hearing. If the party (or parties) who requested the hearing fails to confirm attendance at least five (5) business days in advance of the hearing, that party will be deemed to have abandoned the request for a hearing. If none of the parties who requested a hearing have confirmed attendance, the hearing may be cancelled.
- g. To object to a document, a party must submit a written objection to the Hearing Board Chair no later than one (1) business day before the hearing. After providing the other party an opportunity to respond, the Hearing Board Chair shall rule on any objections to submitted documents. Absent a timely objection, the documents received by the Hearing Board shall become part of the record and shall be considered.
- h. A party may challenge the participation of any Hearing Board member on the grounds of personal bias by submitting a written statement to the Hearing Board Chair setting forth the basis for the challenge no later than five (5) business days before the hearing. The Chair will determine whether to sustain or deny the challenge. If a challenge is filed against the Chair, the Senior Vice President for Educational Outreach and Student Services will rule on the challenge. If the challenge is sustained, a replacement member will be appointed to serve on the Hearing Board.
- i. Members of the university community are expected to comply with any request or directive issued by the Hearing Board Chair in connection with a disciplinary proceeding. Upon specific request, the Chair will send a communication to a member of the university community requesting the community member's presence at the hearing and giving notice of the university's expectations.
- j. The Hearing Board Chair may extend the times and deadlines required by these rules for good cause.

4. Conduct of the Hearing

- a. In order to preserve the confidential nature of the disciplinary process and to protect the privacy interests of those involved, the hearing will be closed to the public. Appropriate university administrators or staff may attend the hearing.
- b. The Hearing Board Chair will preside at the hearing and will rule upon all procedural matters. The formal rules of evidence will not apply, although objections to the introduction of specific statements or documents may be considered by the Hearing Board Chair. Irrelevant, immaterial, privileged, or unduly repetitious information will be excluded.
- c. The Dean of Students office has the burden of proving that the student more likely than not violated the Student Code of Conduct. The Dean of Students office also must explain the reason for the sanction. If the student accepts responsibility for the violation charged, then the Hearing Board may focus the hearing on the

- d. Information regarding prior misconduct may not be used as proof of a current violation, but may be admitted for other purposes, such as to show that the student had prior experience relevant to the charge or to show that the student had been informed previously that the conduct was not acceptable. The Hearing Board may also consider information regarding prior misconduct in determining an appropriate disciplinary sanction.
- e. Any party who requested a hearing and who fails to appear or refuses to participate at the hearing will be deemed to have abandoned the request for an appeal, unless the student can demonstrate that an extraordinary circumstance prevented the student's appearance or participation.
- f. Any party may be assisted throughout the proceeding by an advisor. If the student or complainant is represented by an attorney, the Dean of Students office may also be represented by an attorney. An advisor or attorney may present the case for the party or may simply act as an advisor.
- g. The hearing will be recorded manually or by a recording device and will be transcribed in whole or in part on request. The requestor will pay the cost of the transcript unless the Senior Vice President for Educational Outreach and Student Services waives the cost.
- h. Except as otherwise permitted by the Hearing Board Chair, witnesses will be excluded from the hearing except during their own testimony. In sexual misconduct cases, the parties have the right to be present throughout the hearing. If the person against whom the alleged sexual misconduct was committed is not a member of the University community, they too will be allowed to be present throughout the hearing.
- i. In sexual misconduct cases, the student and the person against whom the alleged misconduct was committed may not directly question one another.
- i. The Hearing Board Chair shall provide procedures for the submission of written questions and will determine which questions will be permitted. The party to whom the question is directed will have an opportunity to respond on the record. The impermissible questions shall be read into the record, and the party who submitted the question will have an opportunity to explain the relevance of the question.
- k. In sexual misconduct cases, evidence related to the complainant's sexual history will not be admitted.
- 1. The university shall proceed first at each stage of the presentation. The student appealing the decision shall go last.
 - 1) Each party may present an opening statement, which summarizes what information is expected to be presented.
 - 2) Each party will call witnesses to provide statements under oath.

- The Hearing Board may ask further questions of each witness.
- Rebuttal witnesses may be called to refute statements made by any party.

3) At the conclusion of each witness statement, the witness may be questioned

Each party may present a closing statement which summarizes the information that has been presented.

G. Hearing Board Deliberations and Recommendation

by the other party.

- 1. Following the presentation of information and closing statements, and before reaching a decision, the Hearing Board will discuss the information that has been presented and the reasonable inferences to be drawn from it. Only the Hearing Board and its legal advisor, if any, may be present during the deliberations.
- 2. Based solely upon the information presented, the Hearing Board will formulate a recommendation to the Senior Vice President for Educational Outreach and Student Services as to whether the student more likely than not violated the Student Code of Conduct and the appropriate disciplinary sanction. Recommendations must be supported by a simple majority of the board.
- 3. The Hearing Board Chair will provide a written recommendation to the parties, the Dean of Students, and the Senior Vice President for Educational Outreach and Student Services (and in sexual misconduct cases the Title IX Coordinator) no later than three (3) business days following the conclusion of the hearing. The written recommendation will include findings of fact and a statement of the reasons for the recommendation and will be signed by the Chair. If the recommendation is not unanimous, it should also explain any minority opinions.

H. Review and Decision by Senior Vice President for Educational Outreach and **Student Services**

- 1. Following a review of the Hearing Board's recommendation, the Senior Vice President for Educational Outreach and Student Services will render a written decision which affirms, denies, or accepts the Hearing Board's recommendation with modifications. The written decision shall be issued no later than twenty (20) business days following receipt of the Hearing Board's recommendation, except when it becomes necessary to conduct further investigation or to remand the matter to the Hearing Board. In those cases the written decision will be transmitted no later than twenty (20) business days following completion of the investigation or the Hearing Board's subsequent recommendation.
- 2. If the Senior Vice President for Educational Outreach and Student Services does not accept the Hearing Board's recommendation, the Senior Vice President will explain any variance from the recommendation in the final decision.
- 3. Copies of the written decision will be promptly transmitted to the parties and the

Dean of Students (and in sexual misconduct cases the Title IX Coordinator). The written decision will be sent via email to the parties' email address on record with the University.

- 4. The decision of the Senior Vice President for Educational Outreach and Student Services is a final decision from the date it is issued, unless a timely written request for review or rehearing as described in paragraph I is received by the Senior Vice President.
- 5. The letter from the Senior Vice President will also provide notice to the parties of the right to seek judicial review pursuant to A.R.S. §12-904.

I. Request for Review or Rehearing

- 1. Any party who is dissatisfied with the decision reached by the Senior Vice President for Educational Outreach and Student Services may request a review or rehearing by filing a written request with the Senior Vice President and sending a copy to all parties within fifteen (15) business days after the decision is issued. Any party may file a written response to the request within five (5) business days of the request.
- 2. A review or rehearing is not an appeal; it is an opportunity to make the decisionmaker aware of irregularities or illegalities in the proceedings or of significant new evidence that could not have been provided to the Hearing Board for consideration before its decision. The request may only be based on one or more of the following grounds:
 - a. irregularities in the proceedings, including but not limited to any abuse of discretion or misconduct by the Hearing Board or by the Dean of Students, which deprived the opportunity for a fair and impartial disciplinary process;
 - b. newly discovered material evidence which could not have been presented during the fact-finding or hearing process;
 - c. excessive severity of the sanction; or
 - d. the decision is not reasonably justified by the evidence or is contrary to law.
- 3. Following receipt of a request for review or rehearing, the Senior Vice President for Educational Outreach and Student Services will first determine whether the request sets forth a proper ground for review or rehearing and then will make whatever review is deemed necessary.
- 4. The Senior Vice President for Educational Outreach and Student Services will provide a written response to the request for review or rehearing within fifteen (15) business days of receipt of the request. The response shall be sent to the parties via email to the parties' email address on record with the University and to the Dean of Students (and in sexual misconduct cases to the Title IX Coordinator). The Senior Vice President may uphold or modify the previous decision or grant a rehearing on the issues raised by the request. The decision of the Senior Vice President is final.

Last updated: September 25, 2018 (April 25, 2019, clerical error correction made to Section F.3., which contained two subparagraphs labeled "e." and erroneously omitted "i." Thus, the last 5 lettered subparagraphs in F.3. erroneously lettered as "e., f., g., h., j." were correctly re-lettered f., g., h., i., j.); October 16, 2019, page 2, paragraph B.2. amended to substitute Office of University Rights and Responsibilities for Office of Equity and Inclusion; June 21, 2021, paragraph E.3. amended to insert "simultaneously" in first sentence and to delete "When feasible, Student Rights and Responsibilities will communicate this information in a meeting with the student(s)." Amendments made at the request of the Department of Education.

EXHIBIT 24



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

August 1, 2024

Breanna Brocker
Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

DECISION LETTER

Dear Breanna:

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on or around April 26-27, 2024, when an unauthorized encampment was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus until law enforcement arrested those remaining unlawfully on the Alumni Lawn and the encampment was removed.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. on Friday, April 26, 2024, protesters began occupying the Alumni Lawn and set up an unauthorized encampment. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, police initially arrested 3 individuals for trespass. ASU Police determined additional law enforcement resources were needed given the size of the encampment, the number of individuals present, and the fact that additional people and supplies were continuing to arrive.

Throughout Friday, April 26, ASU Police and other ASU representatives continued to monitor and address the safety of all participants while also asking those participating in the encampment to comply with university policy regarding tents, location, and amplification. As an 11:00 p.m. deadline to vacate the area approached, ASU Police worked with other law enforcement agencies

Document 90-2

to assemble personnel and plan for the clearing of the encampment and arrest of any individuals who refused to leave or became violent. This included closing the adjacent University Drive to traffic for safety purposes and arranging for buses to transport arrestees for booking.

Beginning at approximately 10:40 p.m., repeated announcements were made to persons present at the Alumni Lawn encampment by ASU Police Commander Anthony Momon using a highpowered amplification system. Each round of announcements was repeated from multiple locations around the Alumni Lawn to ensure persons present heard the announcements. The crowd yelled responses to Commander Momon, indicating that the crowd heard the announcements. Commander Momon's announcements advised those on the Alumni Lawn that the gathering was unlawful and commanded them to leave the Lawn and ASU property immediately or they would be arrested. Commander Momon repeated the announcement directing those on the Alumni Lawn to leave or face arrest at approximately 11:00 p.m. and 11:40 p.m.

At approximately 11:59 p.m., ASU Police began arresting individuals remaining on the Alumni Lawn in violation of Commander Momon's order to leave. Thereafter, on April 27, 2024, Commander Momon again repeated the announcement ordering persons to leave at approximately 12:36 a.m.

The evidence shows that you arrived at the unauthorized Alumni Lawn encampment on April 26, 2024, sometime before 11:00 p.m. after seeing the protest earlier that morning while driving on University Drive. You stated that when you arrived at the unauthorized Alumni Lawn encampment, you saw tents on the lawn. You stated that you did not know the people near the tents and did not intend to stay overnight. However, you remained at and participated in the unauthorized encampment for a couple of hours, including singing and chanting.

You stated that you never heard any warnings or instructions that you were not allowed on the lawn and stated that people were routinely on the Alumni Lawn after midnight. You also stated that the police did not give you an opportunity to leave prior to your arrest. However, announcements telling protestors to leave or face arrest were made multiple times from various locations over the course of several hours using a high-amplification speaker system. At least one of those announcements, made from multiple locations, was made prior to your arrest. You also observed others being arrested for approximately an hour before being arrested yourself.

Following the multiple announcements by ASU Police Commander Anthony Momon ordering individuals to leave the Alumni Lawn encampment or be arrested, you interlocked arms with other individuals remaining on the Alumni Lawn to make it more difficult for police to make arrests. At approximately 12:57 a.m., you were among a group who had interlocked arms on the Alumni Lawn and were arrested by police for criminal trespassing in the third degree. The preponderance of the evidence, including not only the multiple announcements made by Commander Momon but also the fact that your arrest occurred at approximately 12:57 a.m., after other arrests had been made, proves your statement not credible and supports the conclusion that

you knowingly remained on the Alumni Lawn at the unauthorized encampment after being ordered to leave.

CODE OF CONDUCT VIOLATION(S)

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically section(s):

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
 - FAC 115: Overnight Use of University Property
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

DECISION

Based on all information gathered and as a result of these findings, the sanction of **Suspension** is imposed through August 16, 2024. When determining the length of your suspension, the length of your interim suspension was taken into account. As such, your full suspension period is considered to have begun retroactively on the date you were placed on interim suspension.

The terms of this suspension period include the following:

- You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona

State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the Arizona Board of Regents. For further information concerning this provision, please reference: https://eoss.asu.edu/dos/srr/codeofconduct.

• An administrative hold has been placed on your records and you will not be allowed to register for any classes.

ADDITIONAL OUTCOMES

- You are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion of your conditions for return, whichever is later.
- You are to write a 5-page (12-point Times New Roman font, double-spaced, 1-inch margins) paper on the limitations on free speech, including but not limited to constitutional limits; time, place, and manner restrictions; and by whom and how speech can be declared unlawful. At a minimum, you are required to review and reference the materials on ASU's <u>free speech website</u> and ABOR's <u>free expression policy</u>. You may also reference other materials of your choosing on the limitations of free speech. Your paper must be free of spelling and grammatical errors. This paper is not an opportunity to justify your behavior or decisions leading to the finding of responsibility. Incomplete papers or papers that do not meet the above requirements will be returned. You are to submit this assignment via email to <u>deanofstudents@asu.edu</u> no later than August 9, 2024.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed from your student account. The purpose of this meeting will be to review the completion of your conditions, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Friday, August 9,

2024. Late appeal requests will not be considered.

An appeal will suspend the imposition of the suspension as stated in the Student Code of Conduct procedures. However, as also stated in those procedures, an appeal does not impact your interim suspension, which, in the event of an appeal, will remain in effect until the appeal process is concluded.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the ABOR Student Code of Conduct here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

Sincerely,

iel Drane III. Ed.D. Dean of Students - Polytechnic

Regina Matos

Dean of Students - West Valley

Student Rights and Responsibilities Arizona State University 480-965-9170

CC: David Chami

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation – Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- c) Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

Document 90-2

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



EXHIBIT 25



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

July 31, 2024

Mya Vallejo
Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

CORRECTED DECISION LETTER

Dear Mya:

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on or around April 26-27, 2024, when an unauthorized encampment was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus until law enforcement arrested those remaining unlawfully on the Alumni Lawn and the encampment was removed.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. on Friday, April 26, 2024, protesters began occupying the Alumni Lawn and set up an unauthorized encampment. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, police initially arrested 3 individuals for trespass. ASU Police determined additional law enforcement resources were needed given the size of the encampment, the number of individuals present, and the fact that additional people and supplies were continuing to arrive.

Throughout Friday, April 26, 2024, ASU Police and other ASU representatives continued to monitor and address the safety of all participants while also asking those participating in the encampment to comply with university policy regarding tents, location, and amplification. As an 11:00 p.m. deadline to vacate the area approached, ASU Police worked with other law

enforcement agencies to assemble personnel and plan for the clearing of the encampment and arrest of any individuals who refused to leave or became violent. This included closing the adjacent University Drive to traffic for safety purposes and arranging for buses to transport arrestees for booking.

Beginning at approximately 10:40 p.m., repeated announcements were made to persons present at the Alumni Lawn encampment by ASU Police Commander Anthony Momon using a high-powered amplification system. Each round of announcements was repeated from multiple locations around the Alumni Lawn to ensure persons present heard the announcements. The crowd yelled responses to Commander Momon, indicating that the crowd heard the announcements. Commander Momon's announcements advised those on the Alumni Lawn that the gathering was unlawful and commanded them to leave the Lawn and ASU property immediately or they would be arrested. Commander Momon repeated the announcement directing those on the Alumni Lawn to leave or face arrest at approximately 11:00 p.m. and 11:40 p.m.

At approximately 11:59 p.m., ASU Police began arresting individuals remaining on the Alumni Lawn in violation of Commander Momon's order to leave. Thereafter, on April 27, 2024, Commander Momon again repeated the announcement ordering persons to leave at approximately 12:36 a.m. and 1:00 a.m.

The evidence shows that you learned about the unauthorized Alumni Lawn encampment through social media and arrived there on April 26, 2024, shortly before noon. You told the SRR investigator that you brought a folding chair with you so that you could sit down but did not bring or set up any tents. You stated that you only intended to stay for a few hours and did not intend to stay overnight. However, you participated in the unauthorized encampment and remained there until after 11:00 p.m. Following the multiple announcements by ASU Police Commander Anthony Momon ordering individuals to leave the Alumni Lawn encampment or be arrested, you interlocked arms with other protesters on the Alumni Lawn to make it more difficult for police to arrest individuals remaining on Alumni Lawn. At approximately 12:21 a.m., you were among a group who had interlocked arms on the Alumni Lawn when you were taken into custody by ASUPD and charged with criminal trespassing. Arrests began at approximately 11:59 p.m., so you had been observing the arrests for at least 20 minutes before your arrest.

When asked whether you heard any announcements, you stated that you did not hear the trespass warning because you were surrounded by people chanting and talking. However, announcements were made multiple times from various locations over the course of several hours using a high-amplification speaker system. The preponderance of the evidence, including not only the multiple announcements made by Commander Momon but also the fact that your arrest occurred at approximately 12:21 a.m., after other arrests had been made, proves your statement not credible and supports the conclusion that you knowingly remained on the Alumni Lawn at the unauthorized encampment after being ordered to leave.

CODE OF CONDUCT VIOLATION(S)

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically section(s):

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
 - FAC 115: Overnight Use of University Property
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

DECISION

Based on all information gathered and as a result of these findings, effective Wednesday, August 7, 2024, the sanction of **Suspension** is imposed through August 16, 2024.

The terms of this suspension period include the following:

- You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the Arizona Board of Regents. For further information concerning this provision, please reference: https://eoss.asu.edu/dos/srr/codeofconduct.
- An administrative hold has been placed on your records and you will not be allowed to

register for any classes.

ADDITIONAL OUTCOMES

With respect to the findings above, the following outcomes have been assigned:

- Effective August 7, 2024, you are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion of your conditions for return, whichever is later.
- The Choices exercise provides an educational opportunity to students who participated in situations involving errors in judgment. Students will be challenged to think about their values and current decision-making style while considering if their behavior is congruent with their values and learning about various decision-making fallacies and styles. Refer to the Choices attachments in this email. The values cards are to be sorted and the reflective questions answered. Utilize your reflection and the answers to the questions on that handout. The answers should be well thought out and show that you took the time to do this exercise and gain something from it. Email the completed exercise as an attachment to deanofstudents@asu.edu by 4:30 p.m., August 9, 2024.
- After completing the Choices Exercise, refer to the worksheet to complete this Educational/Reflection Paper. Utilize your reflection and the answers to the questions on that worksheet. This paper should be well thought out and show that you took the time to do this exercise and gain something from it. Take this opportunity to see how your values can play into the decision-making process, and how you can use your values in the future. This paper should be 3 pages, 12 point font, in Times New Roman, with 1-inch margins, and should be of college quality. If the paper does not meet the standards of a college-level paper it will be returned and you will need to re-write it. Email this paper as an attachment to deanofstudents@asu.edu by 4:30 p.m., August 9, 2024.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed from your student account. The purpose of this meeting will be to review the completion of your conditions, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Wednesday, August 7, 2024. Late appeal requests will not be considered.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the *ABOR Student Code of Conduct* here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the <u>Office of Student Rights and Responsibilities</u> at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any part of the process, please contact ASU's <u>Student Accessibility and Inclusive Learning Services</u>.

Sincerely,

Daniel Drane III, Ed.D.

Dean of Students – Polytechnic

Regina Matos Dean of Students - West Valley

Student Rights and Responsibilities Arizona State University 480-965-9170

CC: David Chami

Case 2:24-cv-00987-11T	00 <u>cument 90-2 Filed 04/15/25 Page 90 o</u> f 187
SERVICE TO OTHERS	MORAL RESPONSIBILITY & FULFILLMENT
OPENNESS AND HONESTY AMONG PEOPLE	LONG AND HEALTHY LIFE
DEEP RELIGIOUS BELIEFS	GREAT PERSONAL ATTRACTIVENESS
JUSTICE AND EQUALITY IN THE WORLD	SATISFYING FAMILY LIFE WITH CHILDREN
TIME WITH NATURE	PERSONAL FAME AND FORTUNE
RECOGNITION AND FAME	PERSONAL ACHIEVEMENT
SELF UNDERSTANDING	ATHLETIC EXCELLENCE

<u> </u>	ocument 90-2 Filed 04/15/25 Page 91 of 187
A GREAT SENSE OF HUMOR	A CAPACITY TO GIVE AND RECEIVE LOVE
UNLIMITED ACCESS TO MUSIC, ART, THEATRE, LITERATURE	SATISFYING RELATIONSHIP WITH A PARTNER/SPOUSE
FREEDOM TO TRAVEL	LIVING ACCORDING TO MY BELIEFS
CONTRIBUTING TO THE BETTERMENT OF THE WORLD	LEADING & INFLUENCING PEOPLE & POLICIES
JOB SATISFACTION AND SUCCESS	CREATIVITY
CLOSE AND LOYAL FRIENDS	LIFE OF GREAT ROMANCE
SATISFYING AND COMPLETE EDUCATION	SOCIAL STATUS

Case 2:24-cv-00987-11T	00cument 90-2 Filed 04/15/25 Page 92 of 187
POWER AUTHORITY	LIFE OF GREAT ADVENTURE
A SENSE OF ORDER	FREEDOM OF LIFESTYLE & PERSONAL INDEPENDENCE
THE PURSUIT OF KNOWLEDGE, TRUTH AND UNDERSTANDING	A LIFE OF LEISURE
BEING LIKED AND APPRECIATED BY OTHERS	FINANCIAL SECURITY
WORRY FREE LIFE	SATISFYING LOVE LIFE
GENIUS INTELLIGENCE	

Choices Workshop Office of Student Rights & Responsibilities ARIZONA STATE UNIVERSITY

Quotes on Ethics

Select a quote below that best describes your understanding of ethics, that could assist you in future decision-making, or with which you disagree. We will discuss together as a group.

- Excellence is not a singular act, but a habit. You are what you repeatedly do. Shaquille O'Neal
- Ethics is not definable, is not implementable, because it is not conscious; it involves not only our thinking, but also our feeling. Valdemar W. Setzer
- 3. Relativity applies to physics, not ethics. Albert Einstein
- Have the courage to say no. Have the courage to face the truth. Do the right thing because it is right. These are the magic keys to living your life with integrity.

W. Clement Stone

- Integrity is doing the right thing, even if nobody is watching. Unknown
- Ethics is the activity of man directed to secure the inner perfection of his own personality.
 Albert Schweitzer
- Even the most rational approach to ethics is defenseless if there isn't the will to do what is right. Alexander Sozhenitsyn
- Ethics is knowing the difference between what you have a right to do and what is right to do. Potter Stewart
- In law a man is guilty when he violates the rights of others. In ethics he is guilty if he only thinks of doing so.
 Immanuel Kant

 I consider ethics, as well as religion, as supplements to law in the government of man. Thomas Jefferson The mind is everything. What you think, you become.

Prince Guatama Siddharta

- To see what is right and not to do it is want of courage.
 Confucius
- 13. Not life, but good life, is to be chiefly valued. Socrates
- 14. Education without values, as useful as it is, seems rather to make man a more clever devil.

 C.S. Lewis
- 15. Right actions for the future are the best apologies for wrong ones in the past.

 Tyron Edwards
- 16. I can bring you to the door, but you have to walk through.
 Jean-Paul Vadnais
- It's not hard to make decisions when you know what your values are. Roy Disney
- 18. Character is power.

 Booker T. Washington
- Live one day at a time emphasizing ethics rather than rules.
 Wayne Dyer
- For there is nothing either good or bad, but thinking makes it so. William Shakespeare

Office of Student Rights & Responsibilities ARIZONA STATE UNIVERSITY

Values Card Sort

Always Valued	Sometimes Valued	Rarely Valued

After separating the values reflect on the following questions:

- 1. Was this task easy or difficult? Why?
- 2. Was there anything, while doing this exercise that surprised you? For example, a value in a pile that you didn't think would be there?
- 3. Do you think if you had done this exercise a few years ago your values would be separated differently? Why?



My 10p 5 values:
1. 2. 3. 4. 5.
After selecting your 5 top values, reflect on the following questions: 1. Was this task easy or difficult? Why? 2. How did you narrow down your values to the top 5 selected? 3. Do you live these top 5 values on a daily basis? How?
My Number 1 Value:
After selecting your Number 1 Value, reflect on the following questions: 1. Why is this important to your right now? 2. How do you live this value on a daily basis? 3. Have your values been challenged? How did you cope? How did it affect you?

After reflecting on the questions above, think about the incident or behavior that resulted in your referral to this workshop and reflect on the following questions:

- 1. How does your Number 1 value play into the decision you made, which resulted in you completing this workshop as part of your sanction?
- 2. What was it like to put your decision above your Number 1 value in your decision making process?
- 3. How can you use your Number 1 value in your decision making process in the future to make better decisions/choices?

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

Document 90-2

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



EXHIBIT 26



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

August 1, 2024	
Autumn Byars	
Sent electronically to	

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

DECISION LETTER

Dear Autumn:

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on or around April 26-27, 2024, when an unauthorized encampment was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus until law enforcement arrested those remaining unlawfully on the Alumni Lawn and the encampment was removed.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. on Friday, April 26, 2024, protesters began occupying the Alumni Lawn and set up an unauthorized encampment. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, police initially arrested 3 individuals for trespass. ASU Police determined additional law enforcement resources were needed given the size of the encampment, the number of individuals present, and the fact that additional people and supplies were continuing to arrive.

Throughout Friday, April 26, ASU Police and other ASU representatives continued to monitor and address the safety of all participants while also asking those participating in the encampment to comply with university policy regarding tents, location, and amplification. As an 11:00 p.m. deadline to vacate the area approached, ASU Police worked with other law enforcement

agencies to assemble personnel and plan for the clearing of the encampment and arrest of any individuals who refused to leave or became violent. This included closing the adjacent University Drive to traffic for safety purposes and arranging for buses to transport arrestees for booking.

Beginning at approximately 10:40 p.m., repeated announcements were made to persons present at the Alumni Lawn encampment by ASU Police Commander Anthony Momon using a high powered amplification system. Each round of announcements was repeated from multiple locations around the Alumni Lawn to ensure persons present heard the announcements. The crowd yelled responses to Commander Momon, indicating that the crowd heard the announcements. Commander Momon's announcements advised those on the Alumni Lawn that the gathering was unlawful and commanded them to leave the Lawn and ASU property immediately or they would be arrested. Commander Momon repeated the announcement directing those on the Alumni Lawn to leave or face arrest at approximately 11:00 p.m. and 11:40 p.m.

At approximately 11:59 p.m., ASU Police began arresting individuals remaining on the Alumni Lawn in violation of Commander Momon's order to leave. Thereafter, on April 27, 2024, Commander Momon again repeated the announcement ordering persons to leave at approximately 12:36 a.m.

The evidence shows that on April 25, 2024, you learned of the unauthorized Alumni Lawn encampment through a phone call with a friend. You arrived at Alumni Lawn at approximately 11:00 a.m. on April 26, 2024, where you remained talking with others, eating food, singing, dancing, and chanting. You brought fliers for distribution, water, snacks to share, a small first aid kit, two cardboard signs, your keys, wallet, antidepressants, water bottle, a button-down shirt, and your Bible. Your roommate brought you a blanket to sit on later in the day, but you did not have any other equipment for camping with you. Your goal in attending was to "see ASU disclose its various financial investments, divest from Israeli holdings and weapons manufacturers, and put out a statement condemning the violence in Palestine."

Following the multiple announcements by ASU Police Commander Anthony Momon ordering individuals to leave the Alumni Lawn encampment or be arrested, you interlocked arms with other protestors on the Alumni Lawn to make it more difficult for police to arrest individuals remaining on the Alumni Lawn. At approximately 12:43 a.m. you were among a group who had interlocked arms on the Alumni Lawn and were arrested by police for criminal trespassing in the third degree. Upon being arrested you fell to the ground causing police to have to pull you from the crowd. Throughout the arrest, you remained as "dead weight," causing police to have to carry you 50 yards and then transport you by golf cart for processing.

In your written statement you wrote that word spread that the group was being asked to clear the area by 11:00 p.m. and that ASU Police made several announcements asking all individuals to leave Alumni Lawn. You chose to remain on Alumni Lawn as you believed it was within your

right to do so. You stated that there is no rule against being on campus at night; however, police made multiple announcements telling protestors that their presence was unlawful and directing them to leave or face arrest. These announcements were made multiple times from various locations over the course of several hours using a high-amplification speaker system. You admitted to hearing these announcements. The preponderance of the evidence, including that you heard the announcements to leave or face arrest and that you observed others being arrested for at least 30 minutes prior to your arrest, supports the conclusion that you knowingly remained at the unauthorized Alumni Lawn encampment after being ordered to leave. Your resistance to arrest, including making yourself "dead weight" and forcing officers to carry you a great distance, is of particular concern.

CODE OF CONDUCT VIOLATION(S)

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically section(s):

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
 - FAC 115: Overnight Use of University Property
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

DECISION

Based on all information gathered and as a result of these findings, the sanction of **Suspension** is imposed through December 15, 2024. When determining the length of your suspension, the length of your interim suspension was taken into account. As such, your full suspension period is considered to have begun retroactively on the date you were placed on interim suspension.

The terms of this suspension period include the following:

- You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona
 State University, Northern Arizona University, or the University of Arizona or any other
 university campus or division governed by the Arizona Board of Regents. For further
 information concerning this provision, please
 reference: https://eoss.asu.edu/dos/srr/codeofconduct.
- An administrative hold has been placed on your records and you will not be allowed to register for any classes.

ADDITIONAL OUTCOMES

- You are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion of your conditions for return, whichever is later.
- You are to write a 5-page (12-point Times New Roman font, double-spaced, 1-inch margins) paper on the limitations on free speech, including but not limited to constitutional limits; time, place, and manner restrictions; and by whom and how speech can be declared unlawful. At a minimum, you are required to review and reference the materials on ASU's <u>free speech website</u> and ABOR's <u>free expression policy</u>. You may also reference other materials of your choosing on the limitations of free speech. Your paper must be free of spelling and grammatical errors. This paper is not an opportunity to justify your behavior or decisions leading to the finding of responsibility. Incomplete papers or papers that do not meet the above requirements will be returned. You are to submit this assignment via email to <u>deanofstudents@asu.edu</u> no later than August 9, 2024.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed from your student account. The purpose of this meeting will be to review the completion of your conditions, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Friday, August 9, 2024. Late appeal requests will not be considered.

An appeal will suspend the imposition of the suspension as stated in the Student Code of Conduct procedures. However, as also stated in those procedures, an appeal does not impact your interim suspension, which, in the event of an appeal, will remain in effect until the appeal process is concluded.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the ABOR Student Code of Conduct here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

Sincerely,

iel Drane III. Ed.D.

Dean of Students - Polytechnic

Regina Matos

Dean of Students - West Valley

Student Rights and Responsibilities

Arizona State University 480-965-9170

CC: Michael Yancey

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



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Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

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Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

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- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



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ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
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- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



EXHIBIT 27



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

July 30, 2024	
Emma Davis Sent electronically to	
	PERSONAL AND CONFIDENTIAL
Regarding Case Number:	
Dear Emma:	

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on or around April 26-27, 2024, when an unauthorized encampment was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus until law enforcement arrested those remaining unlawfully on the Alumni Lawn and the encampment was removed.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. on Friday, April 26, 2024, protesters began occupying the Alumni Lawn and set up an unauthorized encampment. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, police initially arrested 3 individuals for trespass. ASU Police determined additional law enforcement resources were needed given the size of the encampment, the number of individuals present, and the fact that additional people and supplies were continuing to arrive.

Throughout Friday, April 26, ASU Police and other ASU representatives continued to monitor and address the safety of all participants while also asking those participating in the encampment to comply with university policy regarding tents, location, and amplification. As an 11:00 p.m. deadline to vacate the area approached, ASU Police worked with other law enforcement agencies to assemble personnel and plan for the clearing of the encampment and arrest of any individuals who refused to leave or became violent. This included closing the adjacent University Drive to

traffic for safety purposes and arranging for buses to transport arrestees for booking.

Beginning at approximately 10:40 p.m., repeated announcements were made to persons present at the Alumni Lawn encampment by ASU Police Commander Anthony Momon using a highpowered amplification system. Each round of announcements was repeated from multiple locations around the Alumni Lawn to ensure persons present heard the announcements. The crowd yelled responses to Commander Momon, indicating that the crowd heard the announcements. Commander Momon's announcements advised those on the Alumni Lawn that the gathering was unlawful and commanded them to leave the Lawn and ASU property immediately or they would be arrested. Commander Momon repeated the announcement directing those on the Alumni Lawn to leave or face arrest at approximately 11:00 p.m. and 11:40 p.m. At approximately 11:59 p.m., ASU Police began arresting individuals remaining on the Alumni Lawn in violation of Commander Momon's order to leave. Thereafter, on April 27, 2024, Commander Momon again repeated the announcement ordering persons to leave at approximately 12:36 a.m. and 1:00 a.m.

The evidence shows that you were present at the unauthorized Alumni Lawn encampment on April 26, 2024. You told the SRR investigator that you joined the encampment because you have felt ostracized for your views in the past and were looking for a community. You stated that you saw information about the encampment on Instagram and felt it was very beautiful. You decided to join after finishing your assignments and packed extra water bottles to share with others before walking down to the encampment. You participated in a drum circle.

Following the multiple announcements by ASU Police Commander Anthony Momon ordering individuals to leave the Alumni Lawn encampment or be arrested, you interlocked arms with other protesters on the Alumni Lawn to make it more difficult for police to arrest individuals remaining on Alumni Lawn. At approximately 1:28 a.m., you were among a group who had interlocked arms on the Alumni Lawn and were arrested by police for criminal trespassing in the third degree.

When asked whether there were directions given to leave, you declined to answer the investigator. You also declined to answer any questions about the account that posted about the encampment and other questions about that evening such as the timeline, when you linked arms, and whether you set up any temporary structures. The preponderance of the evidence supports the conclusion that you knowingly remained on the Alumni Lawn at the unauthorized encampment after being ordered to leave.

CODE OF CONDUCT VIOLATION(S)

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically section(s):

• 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the

Board or by the university.

- ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
- FAC 115: Overnight Use of University Property
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

DECISION

Based on all information gathered and as a result of these findings, effective Tuesday, August 6, 2024, the sanction of **Suspension** is imposed through August 16, 2024.

The terms of this **suspension** period include the following:

- You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the Arizona Board of Regents. For further information concerning this provision, please reference: https://eoss.asu.edu/dos/srr/codeofconduct.
- An administrative hold has been placed on your records and you will not be allowed to register for any classes.

ADDITIONAL OUTCOMES

In addition to your suspension, the following additional outcomes have been imposed:

- Effective August 6, 2024, you are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion of your conditions for return, whichever is later.
- The Choices exercise provides an educational opportunity to students who participated in situations involving errors in judgment. Students will be challenged to think about their values and current decision-making style while considering if their behavior is congruent with their values and learning about various decision-making fallacies and styles. Refer to the Choices attachments in this email. The values cards are to be sorted and the reflective questions answered. Utilize your reflection and the answers to the questions on that handout. The answers should be well thought out and show that you took the time to do this exercise and gain something from it. Email the completed exercise as an attachment to deanofstudents@asu.edu by 4:30 p.m., August 9, 2024.
- After completing the Choices Exercise, refer to the worksheet to complete this Educational/Reflection Paper. Utilize your reflection and the answers to the questions on that worksheet. This paper should be well thought out and show that you took the time to do this exercise and gain something from it. Take this opportunity to see how your values can play into the decision-making process, and how you can use your values in the future. This paper should be 3 pages, 12 point font, in Times New Roman, with 1-inch margins, and should be of college quality. If the paper does not meet the standards of a college-level paper it will be returned and you will need to re-write it. Email this paper as an attachment to deanofstudents@asu.edu by 4:30 p.m., August 9, 2024.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed from your student account. The purpose of this meeting will be to review the completion of your conditions, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Tuesday, August 6, 2024. Late appeal requests will not be considered.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the ABOR Student Code of Conduct here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any other of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

Sincerely,

niel Drane III. Ed.D. Dean of Students - Polytechnic

Regina Matos Dean of Students - West Valley

Student Rights and Responsibilities Arizona State University 480-965-9170

CC: Adam Hubbi

Case 2:24-cv-00987-JJT D	o <u>cument 90-2 Filed 04/15/25 Page 113 o</u> f 187
SERVICE TO OTHERS	MORAL RESPONSIBILITY & FULFILLMENT
OPENNESS AND HONESTY AMONG PEOPLE	LONG AND HEALTHY LIFE
DEEP RELIGIOUS BELIEFS	GREAT PERSONAL ATTRACTIVENESS
JUSTICE AND EQUALITY IN THE WORLD	SATISFYING FAMILY LIFE WITH CHILDREN
TIME WITH NATURE	PERSONAL FAME AND FORTUNE
RECOGNITION AND FAME	PERSONAL ACHIEVEMENT
SELF UNDERSTANDING	ATHLETIC EXCELLENCE

Case 2:24-cv-00987-1JT D	ocument 90-2 Filed 04/15/25 Page 114 of 187
A GREAT SENSE OF HUMOR	A CAPACITY TO GIVE AND RECEIVE LOVE
UNLIMITED ACCESS TO MUSIC, ART, THEATRE, LITERATURE	SATISFYING RELATIONSHIP WITH A PARTNER/SPOUSE
FREEDOM TO TRAVEL	LIVING ACCORDING TO MY BELIEFS
CONTRIBUTING TO THE BETTERMENT OF THE WORLD	LEADING & INFLUENCING PEOPLE & POLICIES
JOB SATISFACTION AND SUCCESS	CREATIVITY
CLOSE AND LOYAL FRIENDS	LIFE OF GREAT ROMANCE
SATISFYING AND COMPLETE EDUCATION	SOCIAL STATUS

Case 2:24-cy-00987-11T Do	ocument 90-2 Filed 04/15/25 Page 115 of 187
POWER AUTHORITY	LIFE OF GREAT ADVENTURE
A SENSE OF ORDER	FREEDOM OF LIFESTYLE & PERSONAL INDEPENDENCE
THE PURSUIT OF KNOWLEDGE, TRUTH AND UNDERSTANDING	A LIFE OF LEISURE
BEING LIKED AND APPRECIATED BY OTHERS	FINANCIAL SECURITY
WORRY FREE LIFE	SATISFYING LOVE LIFE
GENIUS INTELLIGENCE	

Choices Workshop Office of Student Rights & Responsibilities ARIZONA STATE UNIVERSITY

Quotes on Ethics

Select a quote below that best describes your understanding of ethics, that could assist you in future decision-making, or with which you disagree. We will discuss together as a group.

- Excellence is not a singular act, but a habit. You are what you repeatedly do. Shaquille O'Neal
- Ethics is not definable, is not implementable, because it is not conscious; it involves not only our thinking, but also our feeling. Valdemar W. Setzer
- 3. Relativity applies to physics, not ethics. Albert Einstein
- Have the courage to say no. Have the courage to face the truth. Do the right thing because it is right. These are the magic keys to living your life with integrity.

W. Clement Stone

- Integrity is doing the right thing, even if nobody is watching. Unknown
- Ethics is the activity of man directed to secure the inner perfection of his own personality.
 Albert Schweitzer
- Even the most rational approach to ethics is defenseless if there isn't the will to do what is right. Alexander Sozhenitsyn
- Ethics is knowing the difference between what you have a right to do and what is right to do. Potter Stewart
- In law a man is guilty when he violates the rights of others. In ethics he is guilty if he only thinks of doing so.
 Immanuel Kant
- I consider ethics, as well as religion, as supplements to law in the government of man. Thomas Jefferson

The mind is everything. What you think, you become.

Prince Guatama Siddharta

- To see what is right and not to do it is want of courage.
 Confucius
- 13. Not life, but good life, is to be chiefly valued. Socrates
- 14. Education without values, as useful as it is, seems rather to make man a more clever devil.

 C.S. Lewis
- 15. Right actions for the future are the best apologies for wrong ones in the past.

 Tyron Edwards
- 16. I can bring you to the door, but you have to walk through. Jean-Paul Vadnais
- 17. It's not hard to make decisions when you know what your values are.

 Roy Disney
- 18. Character is power.

 Booker T. Washington
- Live one day at a time emphasizing ethics rather than rules.
 Wayne Dyer
- For there is nothing either good or bad, but thinking makes it so. William Shakespeare

Office of Student Rights & Responsibilities ARIZONA STATE UNIVERSITY

Values Card Sort

Always Valued	Sometimes Valued	Rarely Valued

After separating the values reflect on the following questions:

- 1. Was this task easy or difficult? Why?
- 2. Was there anything, while doing this exercise that surprised you? For example, a value in a pile that you didn't think would be there?
- 3. Do you think if you had done this exercise a few years ago your values would be separated differently? Why?



My Top 5 Values:
1. 2. 3. 4. 5.
After selecting your 5 top values, reflect on the following questions: 1. Was this task easy or difficult? Why? 2. How did you narrow down your values to the top 5 selected? 3. Do you live these top 5 values on a daily basis? How?
My Number 1 Value:
After selecting your Number 1 Value, reflect on the following questions: 1. Why is this important to your right now? 2. How do you live this value on a daily basis? 3. Have your values been challenged? How did you cope? How did it affect you?

After reflecting on the questions above, think about the incident or behavior that resulted in your referral to this workshop and reflect on the following questions:

- 1. How does your Number 1 value play into the decision you made, which resulted in you completing this workshop as part of your sanction?
- 2. What was it like to put your decision above your Number 1 value in your decision making process?
- 3. How can you use your Number 1 value in your decision making process in the future to make better decisions/choices?

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



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La Frontera/EMPACT Trauma Healing Program

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- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



EXHIBIT 28



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

July 31, 2024

Aida Campos Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

CORRECTED DECISION LETTER

Dear Aida:

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on or around April 26-27, 2024, when an unauthorized encampment was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus until law enforcement arrested those remaining unlawfully on the Alumni Lawn and the encampment was removed.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. on Friday, April 26, 2024, protesters began occupying the Alumni Lawn and set up an unauthorized encampment. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, police initially arrested 3 individuals for trespass. ASU Police determined additional law enforcement resources were needed given the size of the encampment, the number of individuals present, and the fact that additional people and supplies were continuing to arrive.

Throughout Friday, April 26, ASU Police and other ASU representatives continued to monitor and address the safety of all participants while also asking those participating in the encampment to comply with university policy regarding tents, location, and amplification. As an 11:00 p.m. deadline to vacate the area approached, ASU Police worked with other law enforcement agencies

to assemble personnel and plan for the clearing of the encampment and arrest of any individuals who refused to leave or became violent. This included closing the adjacent University Drive to traffic for safety purposes and arranging for buses to transport arrestees for booking.

Beginning at approximately 10:40 p.m., repeated announcements were made to persons present at the Alumni Lawn encampment by ASU Police Commander Anthony Momon using a highpowered amplification system. Each round of announcements was repeated from multiple locations around the Alumni Lawn to ensure persons present heard the announcements. The crowd yelled responses to Commander Momon, indicating that the crowd heard the announcements. Commander Momon's announcements advised those on the Alumni Lawn that the gathering was unlawful and commanded them to leave the Lawn and ASU property immediately or they would be arrested. Commander Momon repeated the announcement directing those on the Alumni Lawn to leave or face arrest at approximately 11:00 p.m. and 11:40 p.m. At approximately 11:59 p.m., ASU Police began arresting individuals remaining on the Alumni Lawn in violation of Commander Momon's order to leave. Thereafter, on April 27, 2024, Commander Momon again repeated the announcement ordering persons to leave at approximately 12:36 a.m. and 1:00 a.m.

The evidence shows that you arrived at the unauthorized Alumni Lawn encampment on April 26, 2024, between 1:30 and 2:00 p.m. after learning about it on Instagram. You told the SRR investigator that you brought with you a bag containing Gatorade, snacks, a phone charger, and face masks. You danced and actively participated in the encampment, deciding to stay longer and longer as the day went on. When asked if you helped set up any canopies or tents, you responded, "Not that I know of." When asked by the SRR investigator about the presence of canopies and/or tents on the lawn, you would not state whether tents were also present or if you assisted in setting up any canopies or tents. When asked whether the protest seemed student-led or organization-led, you declined to answer. You also declined to answer when asked whether you knew the names of the organizers of the unauthorized encampment.

Following the multiple announcements by ASU Police Commander Anthony Momon ordering individuals to leave the Alumni Lawn encampment or be arrested, you interlocked arms with other individuals remaining on the Alumni Lawn to make it more difficult for police to make arrests. At approximately 1:40 a.m., you were among a group who had interlocked arms on the Alumni Lawn and as police attempted to remove you from the group, you actively refused to leave the interlocked group and were arrested by police for criminal trespassing in the third degree.

You told the investigator that you could not hear the announcements by ASU PD because you were helping others who "were about to faint." You also said that you were unaware of any policies and thought you could be there any time because you are a student. You also said that you did not feel like it would be safe to leave. However, announcements telling protestors to leave or face arrest were made multiple times from various locations over the course of several hours using a high-amplification speaker system. The preponderance of the evidence, including

not only the multiple announcements made by Commander Momon but also the fact that your arrest occurred at approximately 12:21 a.m., after other arrests had been made, proves your statement not credible and supports the conclusion that you knowingly remained on the Alumni Lawn at the unauthorized encampment after being ordered to leave.

CODE OF CONDUCT VIOLATION(S)

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically section(s):

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
 - FAC 115: Overnight Use of University Property
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

DECISION

Based on all information gathered and as a result of these findings, effective Wednesday, August 7, 2024, the sanction of **Suspension** is imposed through August 16, 2024.

The terms of this suspension period include the following:

- You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona

State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the Arizona Board of Regents. For further information concerning this provision, please reference: https://eoss.asu.edu/dos/srr/codeofconduct.

• An administrative hold has been placed on your records and you will not be allowed to register for any classes.

ADDITIONAL OUTCOMES

- Effective August 7, 2024, you are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion of your conditions for return, whichever is later.
- The Choices exercise provides an educational opportunity to students who participated in situations involving errors in judgment. Students will be challenged to think about their values and current decision-making style while considering if their behavior is congruent with their values and learning about various decision-making fallacies and styles. Refer to the Choices attachments in this email. The values cards are to be sorted and the reflective questions answered. Utilize your reflection and the answers to the questions on that handout. The answers should be well thought out and show that you took the time to do this exercise and gain something from it. Email the completed exercise as an attachment to deanofstudents@asu.edu by 4:30 p.m., August 9, 2024.
- After completing the Choices Exercise, refer to the worksheet to complete this Educational/Reflection Paper. Utilize your reflection and the answers to the questions on that worksheet. This paper should be well thought out and show that you took the time to do this exercise and gain something from it. Take this opportunity to see how your values can play into the decision-making process, and how you can use your values in the future. This paper should be 3 pages, 12 point font, in Times New Roman, with 1-inch margins, and should be of college quality. If the paper does not meet the standards of a college-level paper it will be returned and you will need to re-write it. Email this paper as an attachment to deanofstudents@asu.edu by 4:30 p.m., August 9, 2024.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed from your student account. The purpose of this meeting will be to review the completion of your conditions, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Wednesday, August 7, **2024**. Late appeal requests will not be considered.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the ABOR Student Code of Conduct here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

Sincerely,

el Drane III. Ed.D. Dean of Students - Polytechnic

Regina Matos Dean of Students - West Valley

Student Rights and Responsibilities Arizona State University 480-965-9170

CC: Adam Hubbi

Case 2:24-cv-00987-11T D	o <u>cument 90-2 Filed 04/15/25 Page 128 o</u> f 187
SERVICE TO OTHERS	MORAL RESPONSIBILITY & FULFILLMENT
OPENNESS AND HONESTY AMONG PEOPLE	LONG AND HEALTHY LIFE
DEEP RELIGIOUS BELIEFS	GREAT PERSONAL ATTRACTIVENESS
JUSTICE AND EQUALITY IN THE WORLD	SATISFYING FAMILY LIFE WITH CHILDREN
TIME WITH NATURE	PERSONAL FAME AND FORTUNE
RECOGNITION AND FAME	PERSONAL ACHIEVEMENT
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Case 2:24-cv-00987-1JT D	ocument 90-2 Filed 04/15/25 Page 129 of 187
A GREAT SENSE OF HUMOR	A CAPACITY TO GIVE AND RECEIVE LOVE
UNLIMITED ACCESS TO MUSIC, ART, THEATRE, LITERATURE	SATISFYING RELATIONSHIP WITH A PARTNER/SPOUSE
FREEDOM TO TRAVEL	LIVING ACCORDING TO MY BELIEFS
CONTRIBUTING TO THE BETTERMENT OF THE WORLD	LEADING & INFLUENCING PEOPLE & POLICIES
JOB SATISFACTION AND SUCCESS	CREATIVITY
CLOSE AND LOYAL FRIENDS	LIFE OF GREAT ROMANCE
SATISFYING AND COMPLETE EDUCATION	SOCIAL STATUS

Case 2:24-cv-00987-1JT D	ocument 90-2 Filed 04/15/25 Page 130 of 187
POWER AUTHORITY	LIFE OF GREAT ADVENTURE
A SENSE OF ORDER	FREEDOM OF LIFESTYLE & PERSONAL INDEPENDENCE
THE PURSUIT OF KNOWLEDGE, TRUTH AND UNDERSTANDING	A LIFE OF LEISURE
BEING LIKED AND APPRECIATED BY OTHERS	FINANCIAL SECURITY
WORRY FREE LIFE	SATISFYING LOVE LIFE
GENIUS INTELLIGENCE	

Choices Workshop Office of Student Rights & Responsibilities ARIZONA STATE UNIVERSITY

Quotes on Ethics

Select a quote below that best describes your understanding of ethics, that could assist you in future decision-making, or with which you disagree. We will discuss together as a group.

- Excellence is not a singular act, but a habit. You are what you repeatedly do. Shaquille O'Neal
- Ethics is not definable, is not implementable, because it is not conscious; it involves not only our thinking, but also our feeling. Valdemar W. Setzer
- 3. Relativity applies to physics, not ethics. Albert Einstein
- Have the courage to say no. Have the courage to face the truth. Do the right thing because it is right. These are the magic keys to living your life with integrity.

W. Clement Stone

- Integrity is doing the right thing, even if nobody is watching. Unknown
- Ethics is the activity of man directed to secure the inner perfection of his own personality.
 Albert Schweitzer
- Even the most rational approach to ethics is defenseless if there isn't the will to do what is right. Alexander Sozhenitsyn
- Ethics is knowing the difference between what you have a right to do and what is right to do. Potter Stewart
- In law a man is guilty when he violates the rights of others. In ethics he is guilty if he only thinks of doing so.
 Immanuel Kant

10. I consider ethics, as well as religion, as supplements to law in the government of man.

Thomas Jefferson

The mind is everything. What you think, you become.

Prince Guatama Siddharta

- To see what is right and not to do it is want of courage.
 Confucius
- 13. Not life, but good life, is to be chiefly valued. Socrates
- Education without values, as useful as it is, seems rather to make man a more clever devil.
 C.S. Lewis
- 15. Right actions for the future are the best apologies for wrong ones in the past.

 Tyron Edwards
- 16. I can bring you to the door, but you have to walk through.
 Jean-Paul Vadnais
- 17. It's not hard to make decisions when you know what your values are.

 Roy Disney
- 18. Character is power.

 Booker T. Washington
- Live one day at a time emphasizing ethics rather than rules.
 Wayne Dyer
- For there is nothing either good or bad, but thinking makes it so. William Shakespeare

Office of Student Rights & Responsibilities ARIZONA STATE UNIVERSITY

Values Card Sort

Always Valued	Sometimes Valued	Rarely Valued

After separating the values reflect on the following questions:

- 1. Was this task easy or difficult? Why?
- 2. Was there anything, while doing this exercise that surprised you? For example, a value in a pile that you didn't think would be there?
- 3. Do you think if you had done this exercise a few years ago your values would be separated differently? Why?



My Top 5 Values:
1. 2. 3. 4. 5.
After selecting your 5 top values, reflect on the following questions: 1. Was this task easy or difficult? Why? 2. How did you narrow down your values to the top 5 selected? 3. Do you live these top 5 values on a daily basis? How?
My Number 1 Value:
After selecting your Number 1 Value, reflect on the following questions: 1. Why is this important to your right now? 2. How do you live this value on a daily basis? 3. Have your values been challenged? How did you cope? How did it affect you?

After reflecting on the questions above, think about the incident or behavior that resulted in your referral to this workshop and reflect on the following questions:

- 1. How does your Number 1 value play into the decision you made, which resulted in you completing this workshop as part of your sanction?
- 2. What was it like to put your decision above your Number 1 value in your decision making process?
- 3. How can you use your Number 1 value in your decision making process in the future to make better decisions/choices?

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



EXHIBIT 29



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

July 31, 2024

Fatima Jabardi
Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

CORRECTED DECISION LETTER

Dear Fatima:

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on or around April 26-27, 2024, when an unauthorized encampment was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus until law enforcement arrested those remaining unlawfully on the Alumni Lawn and the encampment was removed.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. on Friday, April 26, 2024, protesters began occupying the Alumni Lawn and set up an unauthorized encampment. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, police initially arrested 3 individuals for trespass. ASU Police determined additional law enforcement resources were needed given the size of the encampment, the number of individuals present, and the fact that additional people and supplies were continuing to arrive.

Throughout Friday, April 26, ASU Police and other ASU representatives continued to monitor and address the safety of all participants while also asking those participating in the encampment to comply with university policy regarding tents, location, and amplification. As an 11:00 p.m. deadline to vacate the area approached, ASU Police worked with other law enforcement agencies

to assemble personnel and plan for the clearing of the encampment and arrest of any individuals who refused to leave or became violent. This included closing the adjacent University Drive to traffic for safety purposes and arranging for buses to transport arrestees for booking.

Beginning at approximately 10:40 p.m., repeated announcements were made to persons present at the Alumni Lawn encampment by ASU Police Commander Anthony Momon using a highpowered amplification system. Each round of announcements was repeated from multiple locations around the Alumni Lawn to ensure persons present heard the announcements. The crowd yelled responses to Commander Momon, indicating that the crowd heard the announcements. Commander Momon's announcements advised those on the Alumni Lawn that the gathering was unlawful and commanded them to leave the Lawn and ASU property immediately or they would be arrested. Commander Momon repeated the announcement directing those on the Alumni Lawn to leave or face arrest at approximately 11:00 p.m. and 11:40 p.m.

At approximately 11:59 p.m., ASU Police began arresting individuals remaining on the Alumni Lawn in violation of Commander Momon's order to leave. Thereafter, on April 27, 2024, Commander Momon again repeated the announcement ordering persons to leave at approximately 12:36 a.m. and 1:00 a.m.

The evidence shows that you learned of the unauthorized encampment around 8:00 p.m. on April 26, 2024, from a random account on Instagram and decided to go to show your support for Palestine. You arrived at the unauthorized Alumni Lawn encampment between approximately 8:00 and 8:30 p.m. You told the investigator that you brought only a water bottle with you. You saw canopy shades but stayed on the opposite side of the lawn. You remained at and participated in the unauthorized encampment for several hours, including singing chants. You received a call from your mother and told her you would be leaving "in like 5 minutes" but did not specify what time that was.

Following the multiple announcements by ASU Police Commander Anthony Momon ordering individuals to leave the Alumni Lawn encampment or be arrested, you interlocked arms with other protesters on the Alumni Lawn to make it more difficult for police to arrest individuals remaining on Alumni Lawn. At approximately 1:42 a.m., you were among a group who had interlocked arms on the Alumni Lawn and were arrested by police for criminal trespassing in the third degree.

When asked whether you heard the announcements by the police, you said you could not hear them because there was a guy next to you chanting loudly with a microphone. You also stated that you were unaware of any policies related to the protest. However, announcements telling protestors to leave or face arrest were made multiple times from various locations over the course of several hours using a high-amplification speaker system. You also stated to the investigator that you saw ASU PD present across the lawn. The preponderance of the evidence, including not only the multiple announcements made by Commander Momon but also the fact

that your arrest occurred between approximately 1:00 to and 1:30 a.m., after other arrests had been made, proves your statement not credible and supports the conclusion that you knowingly remained on the Alumni Lawn at the unauthorized encampment after being ordered to leave.

CODE OF CONDUCT VIOLATION(S)

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically section(s):

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
 - FAC 115: Overnight Use of University Property
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

DECISION

Based on all information gathered and as a result of these findings, effective Wednesday, August 7, 2024, the sanction of **Suspension** is imposed through August 16, 2024.

The terms of this suspension period include the following:

- You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona State University, Northern Arizona University, or the University of Arizona or any other

- university campus or division governed by the Arizona Board of Regents. For further information concerning this provision, please reference: https://eoss.asu.edu/dos/srr/codeofconduct.
- An administrative hold has been placed on your records and you will not be allowed to register for any classes.

ADDITIONAL OUTCOMES

With respect to the findings above, the following outcomes have been assigned:

- Effective August 7, 2024, you are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion of your conditions for return, whichever is later.
- The Choices exercise provides an educational opportunity to students who participated in situations involving errors in judgment. Students will be challenged to think about their values and current decision-making style while considering if their behavior is congruent with their values and learning about various decision-making fallacies and styles. Refer to the Choices attachments in this email. The values cards are to be sorted and the reflective questions answered. Utilize your reflection and the answers to the questions on that handout. The answers should be well thought out and show that you took the time to do this exercise and gain something from it. Email the completed exercise as an attachment to deanofstudents@asu.edu by 4:30 p.m., August 9, 2024.
- After completing the Choices Exercise, refer to the worksheet to complete this Educational/Reflection Paper. Utilize your reflection and the answers to the questions on that worksheet. This paper should be well thought out and show that you took the time to do this exercise and gain something from it. Take this opportunity to see how your values can play into the decision-making process, and how you can use your values in the future. This paper should be 3 pages, 12 point font, in Times New Roman, with 1-inch margins, and should be of college quality. If the paper does not meet the standards of a college-level paper it will be returned and you will need to re-write it. Email this paper as an attachment to deanofstudents@asu.edu by 4:30 p.m., August 9, 2024.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed from your student account. The purpose of this meeting will be to review the completion of your conditions, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Wednesday, August 7, **2024**. Late appeal requests will not be considered.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the ABOR Student Code of Conduct here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

Sincerely,

el Drane III. Ed.D.

Dean of Students - Polytechnic

Regina Matos Dean of Students - West Valley

Student Rights and Responsibilities Arizona State University 480-965-9170

CC: Adam Hubbi

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Case 2:24-cv-00987-1JT D	ocument 90-2 Filed 04/15/25 Page 144 of 187
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Choices Workshop Office of Student Rights & Responsibilities ARIZONA STATE UNIVERSITY

Quotes on Ethics

Select a quote below that best describes your understanding of ethics, that could assist you in future decision-making, or with which you disagree. We will discuss together as a group.

- Excellence is not a singular act, but a habit. You are what you repeatedly do. Shaquille O'Neal
- Ethics is not definable, is not implementable, because it is not conscious; it involves not only our thinking, but also our feeling. Valdemar W. Setzer
- 3. Relativity applies to physics, not ethics. Albert Einstein
- Have the courage to say no. Have the courage to face the truth. Do the right thing because it is right. These are the magic keys to living your life with integrity.

W. Clement Stone

- Integrity is doing the right thing, even if nobody is watching. Unknown
- Ethics is the activity of man directed to secure the inner perfection of his own personality.
 Albert Schweitzer
- Even the most rational approach to ethics is defenseless if there isn't the will to do what is right. Alexander Sozhenitsyn
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 I consider ethics, as well as religion, as supplements to law in the government of man. Thomas Jefferson The mind is everything. What you think, you become.

Prince Guatama Siddharta

- To see what is right and not to do it is want of courage.
 Confucius
- 13. Not life, but good life, is to be chiefly valued. Socrates
- Education without values, as useful as it is, seems rather to make man a more clever devil.
 C.S. Lewis
- 15. Right actions for the future are the best apologies for wrong ones in the past.

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- 18. Character is power.

 Booker T. Washington
- Live one day at a time emphasizing ethics rather than rules.
 Wayne Dyer
- For there is nothing either good or bad, but thinking makes it so. William Shakespeare

Office of Student Rights & Responsibilities ARIZONA STATE UNIVERSITY

Values Card Sort

Always Valued	Sometimes Valued	Rarely Valued

After separating the values reflect on the following questions:

- 1. Was this task easy or difficult? Why?
- 2. Was there anything, while doing this exercise that surprised you? For example, a value in a pile that you didn't think would be there?
- 3. Do you think if you had done this exercise a few years ago your values would be separated differently? Why?



My Top 5 Values:
1. 2. 3. 4. 5.
After selecting your 5 top values, reflect on the following questions: 1. Was this task easy or difficult? Why? 2. How did you narrow down your values to the top 5 selected? 3. Do you live these top 5 values on a daily basis? How?
My Number 1 Value:
After selecting your Number 1 Value, reflect on the following questions: 1. Why is this important to your right now? 2. How do you live this value on a daily basis? 3. Have your values been challenged? How did you cope? How did it affect you?

After reflecting on the questions above, think about the incident or behavior that resulted in your referral to this workshop and reflect on the following questions:

- 1. How does your Number 1 value play into the decision you made, which resulted in you completing this workshop as part of your sanction?
- 2. What was it like to put your decision above your Number 1 value in your decision making process?
- 3. How can you use your Number 1 value in your decision making process in the future to make better decisions/choices?

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

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University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456 - City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151 - City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

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If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

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The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



EXHIBIT 30



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

August 1, 2024	
Zahra Alam	

Sent electronically to

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

DECISION LETTER

Dear Zahra:

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on or around April 26-27, 2024, when an unauthorized encampment was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus until law enforcement arrested those remaining unlawfully on the Alumni Lawn and the encampment was removed.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. on Friday, April 26, 2024, protesters began occupying the Alumni Lawn and set up an unauthorized encampment. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, police initially arrested 3 individuals for trespass. ASU Police determined additional law enforcement resources were needed given the size of the encampment, the number of individuals present, and the fact that additional people and supplies were continuing to arrive.

Throughout Friday, April 26, ASU Police and other ASU representatives continued to monitor and address the safety of all participants while also asking those participating in the encampment to comply with university policy regarding tents, location, and amplification. As an 11:00 p.m. deadline to vacate the area approached, ASU Police worked with other law enforcement agencies

to assemble personnel and plan for the clearing of the encampment and arrest of any individuals who refused to leave or became violent. This included closing the adjacent University Drive to traffic for safety purposes and arranging for buses to transport arrestees for booking.

Beginning at approximately 10:40 p.m., repeated announcements were made to persons present at the Alumni Lawn encampment by ASU Police Commander Anthony Momon using a high-powered amplification system. Each round of announcements was repeated from multiple locations around the Alumni Lawn to ensure persons present heard the announcements. The crowd yelled responses to Commander Momon, indicating that the crowd heard the announcements. Commander Momon's announcements advised those on the Alumni Lawn that the gathering was unlawful and commanded them to leave the Lawn and ASU property immediately or they would be arrested. Commander Momon repeated the announcement directing those on the Alumni Lawn to leave or face arrest at approximately 11:00 p.m. and 11:40 p.m.

At approximately 11:59 p.m., ASU Police began arresting individuals remaining on the Alumni Lawn in violation of Commander Momon's order to leave. Thereafter, on April 27, 2024, Commander Momon again repeated the announcement ordering persons to leave at approximately 12:36 a.m. and 1:00 a.m.

The evidence shows that you arrived at the unauthorized Alumni Lawn encampment on April 26, 2024, at 9:00 p.m. after having dinner. You found out about the unauthorized encampment on social media and "wanted to show support and stand in solidarity with the people of Palestine and ask [your] university to divest from investments that profited from war." You stated that you had no part in organizing or coordinating the event and were confused by the presence of tents. You stated you had no intention of staying overnight. Still, you remained at and participated in the unauthorized encampment for several hours.

Following the multiple announcements by ASU Police Commander Anthony Momon ordering individuals to leave the Alumni Lawn encampment or be arrested, you interlocked arms with other protesters on the Alumni Lawn to make it more difficult for police to arrest individuals remaining on Alumni Lawn. At approximately 1:30 a.m., you were among a group who had interlocked arms on the Alumni Lawn when you were taken into custody by ASUPD and charged with criminal trespassing.

In your statement, you said that no warnings were given and that no one communicated to you that remaining on the lawn was a problem. However, multiple announcements were made from various locations over the course of several hours using an amplified speaker system. You also stated that you were unable to leave due to the police presence despite all announcements stating that your presence at the encampment was unlawful and that you should leave or face arrest. The preponderance of the evidence, including not only the multiple announcements made by Commander Momon but also the fact that your arrest occurred at approximately 1:30 a.m., after numerous arrests had been made, proves your statement not credible and supports the conclusion

that you knowingly remained on the Alumni Lawn at the unauthorized encampment after being ordered to leave.

CODE OF CONDUCT VIOLATION(S)

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically section(s):

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
 - FAC 115: Overnight Use of University Property
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance

DECISION

Based on all information gathered and as a result of these findings, the sanction of **Suspension** is imposed through August 16, 2024. When determining the length of your suspension, the length of your interim suspension was taken into account. As such, your full suspension period is considered to have begun retroactively on the date you were placed on interim suspension.

The terms of this suspension period include the following:

- You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona

State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the Arizona Board of Regents. For further information concerning this provision, please reference: https://eoss.asu.edu/dos/srr/codeofconduct.

• An administrative hold has been placed on your records and you will not be allowed to register for any classes.

ADDITIONAL OUTCOMES

- You are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion of your conditions for return, whichever is later.
- You are to write a 5-page (12-point Times New Roman font, double-spaced, 1-inch margins) paper on the limitations on free speech, including but not limited to constitutional limits; time, place, and manner restrictions; and by whom and how speech can be declared unlawful. At a minimum, you are required to review and reference the materials on ASU's <u>free speech website</u> and ABOR's <u>free expression policy</u>. You may also reference other materials of your choosing on the limitations of free speech. Your paper must be free of spelling and grammatical errors. This paper is not an opportunity to justify your behavior or decisions leading to the finding of responsibility. Incomplete papers or papers that do not meet the above requirements will be returned. You are to submit this assignment via email to <u>deanofstudents@asu.edu</u> no later than August 9, 2024.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed from your student account. The purpose of this meeting will be to review the completion of your conditions, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Friday, August 9,

2024. Late appeal requests will not be considered.

An appeal will suspend the imposition of the suspension as stated in the Student Code of Conduct procedures. However, as also stated in those procedures, an appeal does not impact your interim suspension, which, in the event of an appeal, will remain in effect until the appeal process is concluded.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the ABOR Student Code of Conduct here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

Sincerely,

iel Drane III. Ed.D. Dean of Students - Polytechnic

Regina Matos Dean of Students - West Valley

Student Rights and Responsibilities Arizona State University 480-965-9170

CC: David Chami

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

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- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



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- Send an emergency 911 text or call to ASU PD Dispatch
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- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



EXHIBIT 31



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

November 7, 2024	
Michael Clancy Sent electronically to	
	PERSONAL AND CONFIDENTIAL
Regarding Case Number:	
Dear Clancy:	

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on April 26, 2024, when you were arrested during your involvement in an unauthorized encampment that was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and considering that evidence based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Arizona Board of Regents (ABOR) Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. Friday, April 26, 2024, you were among other individuals who began setting up tents and other materials creating an unauthorized encampment occupying the Alumni Lawn. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, you were among the three individuals initially arrested for trespass.

The masslibaz video posted to social media shows that you were among those who arrived at the Alumni Lawn on April 26, 2024, around 8:45 a.m. The video captures you working in concert with others to set up the unauthorized encampment on the Alumni Lawn. You were seen in a masslibaz video helping set up something that appears to be a tent on the Alumni Lawn. In your interview with SRR, you admitted this was indeed you setting up a tent. You stated you did not remember where the tent came from or to whom it belonged, but you assisted in setting the tent up, contributing to the setup of the unauthorized encampment.

ASU Police was contacted shortly before 9:00 a.m. on April 26, 2024, by an ASU facilities staff person reporting that approximately 50 individuals were setting up tents on the Old Main Alumni Lawn. ASU Police Officers Padilla and Van Buhler arrived within minutes of the call and began asking those present to identify who was the group's leader. In response, Bill Whitmire approached officers who advised him that the University policy prohibited camping, the tents had to be removed, and the individuals needed to leave the area or they would face arrest for trespass. Body worn camera video shows Whitmire walk away from officers heading north into the Alumni Lawn encampment. It then records him circling back south and again heading north into the encampment where he speaks with others in the encampment before he returns to speak with Officers Van Buhler and Padilla who again inform him that the tents must come down and the individuals must leave the area or they will be arrested. Sgt. Latella arrives and repeats to Whitmire the direction to take down the tents and leave or face arrest for trespass.

On Sgt. Latella's body worn camera video (BWC labeled April 26, 2024, 9:01:43 AM) at 01:06, you are seen standing under an easy up tent looking in the direction of where Officers Padilla, Van Buhler, and Sgt. Latella are advising Bill Whitmire that the tents must be taken down and the individuals must leave or face arrest for trespass. Further, you are recorded observing officers arresting Whitmire for trespass when he refused to comply with the directive to remove the tents and leave the area. As shown on Sgt. Latella's body worn camera video at 01:08, you are shown walking out from under the easy up tent walking towards where Sgt. Latella is speaking to the crowd following Whitmire's arrest telling them, "You guys can't be here. You guys got to move on, come on." When no one moved to take down the tents, Sgt. Latella stated, "Seriously guys, you're trespassing. So, who wants to be next."

At approximately 9:03 a.m., as shown on body worn camera video provided by ASU PD shows you in the immediate vicinity to witness Harry Smith being arrested. The body worn camera video records you linking arms with others present and encircling the police officers to prevent Smith's arrest and to block officers from exiting the Alumni Lawn with Smith. Your and the other individuals' encirclement of police and attempt to block them from removing Smith from the Alumni Lawn jeopardized officer safety prompting Officer Padilla to radio "Get us other units now!"

After the officers broke through the arm-linked group encircling them, the body worn camera video records you yelling at the officers. Officer Padilla is heard telling you and others in the crowd to "Knock it off! Knock it off! Knock it off!" as he covers the officers who are removing Smith from the Alumni Lawn. (Van Buhler BWC @ 06:52) The body worn camera video then records you coming up behind officers quickly. Sgt. Latella's body worn camera video at 02:27 shows you coming up quickly behind Officers Van Buhler and Padilla as Sgt. Latella is heard saying in a loud voice, "We're going to start arresting people. Let's go." Sgt. Latella's body worn camera video at 02:28 records you closer to Officers Van Buhler and Padilla gesturing with your right arm while yelling, "You won't arrest us." When Sgt. Latella pointed at you as shown in his body worn camera video at 02:30 and asked, "You want to be arrested?," you responded, "Yeah, fuck it [inaudible]."

Sgt. Latella's body worn camera video at 02:32 also shows that as he began to approach you to make your arrest, you puffed out your chest, tensed your body, and leaned in over him as shown on Officer Van Buhler's body worn video at 07:04. As Sgt. Latella was attempting make your arrest, a female grabbed your arm and started trying to pull you away before she was joined by other protesters also attempting to pull you away, resulting in Sgt. Latella and you losing balance and falling to the ground. Ultimately, Sgt. Latella and Officer Van Buhler were able to gain control of your arms so you could be handcuffed. You were arrested for criminal trespass in the third degree (ARS 13-1502).

University policy FAC 115 provides that "no person shall camp or erect any structure or use any camp paraphernalia... on any university property." You admitted that you helped erect at least one tent in the Alumni Lawn encampment and video shows you carrying other camp paraphernalia to the Alumni Lawn that was used in the unauthorized encampment. The preponderance of the evidence therefore shows your actions violated FAC 115, and as a result, we find you responsible for a violation of ABOR 5-308.F.4.

ABOR 7-201, provides that the grounds and properties of the university are "devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access." Permission was neither sought nor obtained from ABOR or ASU authorizing the use of the Alumni Lawn for the April 26 encampment. The masslibaz video shows the banner erected on the Alumni Lawn by protesters declared the encampment a "Liberated Zone." Thus, it is clear through your participation in the setup of the encampment and the express statement declaring the area a liberated zone that it was your and the other protesters' intent to take control of the Alumni Lawn property and use it for your own personal encampment purposes. Your actions in helping set up tents and equipment in the unauthorized encampment that occupied the Alumni Lawn deprived ASU of the regular use of the Alumni Lawn. Therefore, we find by a preponderance of the evidence that you violated ABOR 7-201, and as a result, we find you responsible for a second violation of ABOR 5-308.F.4.

ABOR 5-308.F.9. prohibits the unauthorized presence in or unauthorized use of university property, resources, or facilities. As discussed above, ABOR 7-201 states university property is not a place of unrestricted public access, and the property of the university is reserved for the exclusive use of the university. The encampment which you admittedly helped set up by erecting at least one tent and carrying equipment to the Alumni Lawn used in the encampment was not authorized. And by "liberating" and occupying the Alumni Lawn space you and the other occupants you worked together with took control of the Old Main Alumni Lawn and used it for your own personal, private activity without authorization. Therefore, we find by a preponderance of the evidence that you violated ABOR 5-308.F.9.

ABOR 5-308.F.11. prohibits "[i]nterfering with or disrupting university or university-sponsored activities, including but not limited to classroom-related activities, studying, teaching, research, intellectual or creative endeavor, administration, service, or the provision of communication,

computing, or emergency services." As noted above, your activity in helping set up the encampment that occupied the Alumni Lawn was an unauthorized use of the Alumni Lawn and deprived the university from its regular use. April 26 was the day before exams were scheduled to begin, and the Alumni Lawn encampment was immediately adjacent to Durham Hall, an academic building, where academic activities were occurring. Additionally, as documented in the ASUPD report excerpts, because the encampment was erected, ASU police had to be called to the Alumni Lawn to respond to the encampment. We find by a preponderance of the evidence that the setting up and establishment of the encampment on the Alumni Lawn in and of itself interfered with and disrupted university activities by taking Alumni Lawn for an unauthorized purpose. Moreover, we find that but for your and the others' setting up of the encampment on the Alumni Lawn, ASU police would not have had to be called to the Alumni Lawn that morning which further interfered with and disrupted the regular operations of the University. Accordingly, we find by a preponderance of the evidence that you violated ABOR 5-308.F.11.

While the original trespass citation issued you was dismissed for failing to state probable cause, the criminal trespass charge was later refiled by the ASU Police Department with the Maricopa County Attorney's Office. The Maricopa County Attorney's Office declined to prosecute. The decision not to prosecute the trespass charge, however, does not mean that you did not commit trespass which would violate ABOR 5-308.F.26. by committing any offense prohibited by state law. Therefore, our investigation included determining whether your actions constituted trespassing in the third degree. Under ARS 13-1502, trespass in the third degree is committed when one "knowingly enter[s] or remain[s] unlawfully on any real property after a reasonable request to leave by a law enforcement officer." The evidence shows that you were in proximity to hear the officers' directions given to Bill Whitmire regarding the direction to take down the tents or leave or be subject to arrest for trespass before you observed him being arrested for trespass. The evidence further shows that you were within feet of the officers and Harry Smith as the officers were arresting him and you linked arms to encircle the officers who clearly announced they were arresting Smith for trespass. Even more convincing of your intent to willfully remain on the Alumni Lawn after reasonable notice from police to leave is the video evidence that shows you responding to Sgt. Latella's statement, "We're going to start arresting people. Let's go." to which you yell, "You won't arrest us." This statement confirms your knowledge that you were asked to leave by police and your refusal to do so. And so there could be no doubt of your knowledge you were trespassing, the evidence shows when Sgt. Latella specifically asked you whether you wanted to be arrested, you responded, "yeah, fuck it [inaudible]." As a result, we find by preponderance of the evidence that you not only knowingly remained after being asked to leave, you failed to comply with the directives of law enforcement to leave the premises. Therefore, we find you responsible for violating ABOR 5-308.F.7. and ABOR 5-308.F.26.

While on interim suspension, you were found responsible for failing to comply with the terms of your interim suspension by scheduling and participating in meetings to set up a future study abroad program. That violation resulted in your being placed on probation through December 1, 2024, and was considered an aggravating factor.

CODE OF CONDUCT VIOLATIONS

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically sections:

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - FAC 115: Overnight Use of University Property, in pertinent part, states:
 "Except in connection with university activities or events that may require overnight occupancy at the site of the activity or event, no person shall camp or erect any structure or use any camp paraphernalia or light or maintain any campfire on any university property."
 - ABOR 7-201 Ownership, Management and Use of Real Property Section A.1., in pertinent part, states: "Title to the grounds and properties of the three universities shall be held by the Arizona Board of Regents, a body corporate, for and on behalf of each university. Such grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom-related activities, studying, teaching, research, intellectual or creative endeavor, administration, service, or the provision of communication, computing, or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

You have been found **not responsible** for violating the following section:

• 5-308 F-2 Endangering, threatening, or causing physical harm to any member of the university community or to oneself, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm.

DECISION

As a result of these findings, the sanction of Suspension is imposed through December 1, 2024. When determining the length of your suspension, the length of your interim suspension was

taken into account. As such, your full suspension period is considered to have begun retroactively on the date you were placed on interim suspension.

The terms of this suspension period include the following:

- You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the Arizona Board of Regents. For further information concerning this provision, please reference: https://eoss.asu.edu/dos/srr/codeofconduct.
- An administrative hold has been placed on your records and you will not be allowed to register for any classes.

ADDITIONAL OUTCOMES

- Educational Interventions that must be successfully completed before the administrative hold is lifted allowing you to return to ASU.
 - You must complete an Educational/Reflection Paper. This paper should be well thought out and show that you took the time to reflect and gain something from the exercise. Take this opportunity to see how your values can play into your decision-making process in the incident that took place on April 26, 2024, and how you can use your values in the future. Because you are expected to complete the Choices exercise as an outcome of case 2024813101, you should also incorporate your reflections from that Choices exercise into this reflection paper. This reflection paper must be 3 pages, 12 point font, in Times New Roman, with 1-inch margins, and should be of college quality. If the paper does not meet the standards of a college-level paper, it will be returned and you will need to re-write it. Email this paper as an attachment to deanofstudents@asu.edu by 4:30 p.m., November 15, 2024.
- You are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion date of your conditions for return, whichever is later.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed

from your student account. The purpose of this meeting will be to review the completion of your conditions for return, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Monday, November 18, 2024. Late appeal requests will not be considered.

An appeal will suspend the imposition of the suspension as stated in the Student Code of Conduct procedures. However, as also stated in those procedures, an appeal does not impact your interim suspension, which, in the event of an appeal, will remain in effect until the appeal process is concluded.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the ABOR Student Code of Conduct here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

Sincerely,

Dean of Students - Polytechnic



Regina Matos Dean of Students - West Valley

Student Rights and Responsibilities Arizona State University 480-965-9170 **PROCEDURES**

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456 - City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



EXHIBIT 32



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

August 1, 2024	
Rebecca Huang Sent electronically to	

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

DECISION LETTER

Dear Rebecca:

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on or around April 26-27, 2024, when an unauthorized encampment was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus until law enforcement arrested those remaining unlawfully on the Alumni Lawn and the encampment was removed.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. on Friday, April 26, 2024, protesters began occupying the Alumni Lawn and set up an unauthorized encampment. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, police initially arrested 3 individuals for trespass. ASU Police determined additional law enforcement resources were needed given the size of the encampment, the number of individuals present, and the fact that additional people and supplies were continuing to arrive.

Throughout Friday, April 26, ASU Police and other ASU representatives continued to monitor and address the safety of all participants while also asking those participating in the encampment to comply with university policy regarding tents, location, and amplification. As an 11:00 p.m. deadline to vacate the area approached, ASU Police worked with other law enforcement agencies

to assemble personnel and plan for the clearing of the encampment and arrest of any individuals who refused to leave or became violent. This included closing the adjacent University Drive to traffic for safety purposes and arranging for buses to transport arrestees for booking.

Beginning at approximately 10:40 p.m., repeated announcements were made to persons present at the Alumni Lawn encampment by ASU Police Commander Anthony Momon using a highpowered amplification system. Each round of announcements was repeated from multiple locations around the Alumni Lawn to ensure persons present heard the announcements. The crowd yelled responses to Commander Momon, indicating that the crowd heard the announcements. Commander Momon's announcements advised those on the Alumni Lawn that the gathering was unlawful and commanded them to leave the Lawn and ASU property immediately or they would be arrested. Commander Momon repeated the announcement directing those on the Alumni Lawn to leave or face arrest at approximately 11:00 p.m. and 11:40 p.m.

At approximately 11:59 p.m., ASU Police began arresting individuals remaining on the Alumni Lawn in violation of Commander Momon's order to leave. Thereafter, on April 27, 2024, Commander Momon again repeated the announcement ordering persons to leave at approximately 12:36 a.m. and 1:00 a.m.

The evidence shows that you arrived at the unauthorized Alumni Lawn encampment on April 26, 2024, after you attended class. You did not provide a specific time, but you did arrive before sunset because you stated that you were part of the group that interlocked arms to protect "the Muslim people during their prayers." You said in your written statement that you brought with you a bag containing bandages, medications, Neosporin, your class notebooks, pencils, and dice. You stated that you did not intend to camp or remain through the night, but you made new friends and "resolved to stay as long as we could." You stated that police arrived with rubber bullets and batons and that "there were rumors that they were prepared to use chemical agents or that they were equipped with grenades." However, you remained at and participated in the unauthorized encampment for several hours, including singing and chanting.

Following the multiple announcements by ASU Police Commander Anthony Momon ordering individuals to leave the Alumni Lawn encampment or be arrested, you interlocked arms with other individuals remaining on the Alumni Lawn to make it more difficult for police to make arrests. At approximately 1:40 a.m., you were among a group who had interlocked arms on the Alumni Lawn and as police attempted to remove you from the group, you actively refused to leave the interlocked group and were arrested by police for criminal trespassing in the third degree. Prior to being arrested, you had observed others being arrested for approximately an hour and a half yet remained on the lawn.

You stated you imagined police wanted the protestors to leave but didn't understand why and that you didn't know that students would be accused of trespassing. You assumed any claims of trespassing would be "levied against those who were not students." However, announcements

telling protestors to leave or face arrest were made multiple times from various locations over the course of several hours using a high-amplification speaker system. The preponderance of the evidence, including not only the multiple announcements made by Commander Momon but also the fact that your arrest occurred at approximately 1:40 a.m., after other arrests had been made, proves your statement not credible and supports the conclusion that you knowingly remained on the Alumni Lawn at the unauthorized encampment after being ordered to leave.

CODE OF CONDUCT VIOLATION(S)

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically section(s):

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
 - FAC 115: Overnight Use of University Property
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance.

DECISION

Based on all information gathered and as a result of these findings, the sanction of **Suspension** is imposed through August 16, 2024. When determining the length of your suspension, the length of your interim suspension was taken into account. As such, your full suspension period is considered to have begun retroactively on the date you were placed on interim suspension.

The terms of this suspension period include the following:

• You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to,

- contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the Arizona Board of Regents. For further information concerning this provision, please reference: https://eoss.asu.edu/dos/srr/codeofconduct.
- An administrative hold has been placed on your records and you will not be allowed to register for any classes.

ADDITIONAL OUTCOMES

- You are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion of your conditions for return, whichever is later.
- You are to write a 5-page (12-point Times New Roman font, double-spaced, 1-inch margins) paper on the limitations on free speech, including but not limited to constitutional limits; time, place, and manner restrictions; and by whom and how speech can be declared unlawful. At a minimum, you are required to review and reference the materials on ASU's <u>free speech website</u> and ABOR's <u>free expression policy</u>. You may also reference other materials of your choosing on the limitations of free speech. Your paper must be free of spelling and grammatical errors. This paper is not an opportunity to justify your behavior or decisions leading to the finding of responsibility. Incomplete papers or papers that do not meet the above requirements will be returned. You are to submit this assignment via email to <u>deanofstudents@asu.edu</u> no later than August 9, 2024.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed from your student account. The purpose of this meeting will be to review the completion of your conditions, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Friday, August 9, **2024**. Late appeal requests will not be considered.

An appeal will suspend the imposition of the suspension as stated in the Student Code of Conduct procedures. However, as also stated in those procedures, an appeal does not impact your interim suspension, which, in the event of an appeal, will remain in effect until the appeal process is concluded.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the ABOR Student Code of Conduct here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

Sincerely,

iel Drane III. Ed.D. Dean of Students - Polytechnic

Regina Matos Dean of Students - West Valley

Student Rights and Responsibilities Arizona State University 480-965-9170

CC: David Chami

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

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ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

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When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

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- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

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University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

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Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

Sexual Violence Prevention Resources

If an incident of sexual misconduct or relationship violence occurs, options to report the incident, receive confidential support and immediate assistance are available through on-campus and off-campus resources. In order to ensure all members of the ASU community have access to health and safety resources, ASU employees are mandatory reporters and must report allegations of sexual assault/harassment. For more information, please visit: https://sexualviolenceprevention.asu.edu/.

La Frontera/EMPACT Trauma Healing Program

The program is a 24-hour confidential resource for individuals affected by sexual assault, domestic violence, or hate crimes. Services include a confidential 24-hour hotline; mobile crisis support; individual, couples, family, and group therapy; and case management and advocacy. The Sexual Assault Hotline: (480) 736-4949 or (866) 205-5229.

ASU LiveSafe Mobile App

The LiveSafe Mobile app has many benefits and useful tools for students. The app allows students to send ASU PD real-time, anonymous tips that include audio, pictures, text, and video.

- Send an emergency 911 text or call to ASU PD Dispatch
- Alert personal emergency contacts in times of distress
- Activate SafeWalk and text with your friends or family during your trip as they view your progress on a map
- Request a ride from the student-run Safety Escort Service
- Access ASU crime alerts and receive University alerts and advisories

Download the free ASU LiveSafe App

You will receive a one-time SMS to download the app to your mobile device.





- 2. Select Arizona State University
- 3. Choose your organization based on your location. Use ASU AZ Fac/Stu/Staff
- 4. ASU parents and visitors choose ASU AZ Visitor
- Complete your profile

If you have questions about the ASU LiveSafe mobile app features and functions, email or follow on Twitter: @ASULiveSafe



EXHIBIT 33



STUDENT RIGHTS AND RESPONSIBILITIES

Arizona State University asu.edu/srr

Jι	ıly	31,	2024
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Salam Jabaieh	
Sent electronically to	

PERSONAL AND CONFIDENTIAL

Regarding Case Number:

Dear Salam:

The Office of Student Rights and Responsibilities (SRR) has concluded the investigation into the incident that occurred on or around April 26-27, 2024, when an unauthorized encampment was set up on and occupied the Old Main Alumni Lawn at the Arizona State University Tempe campus until law enforcement arrested those remaining unlawfully on the Alumni Lawn and the encampment was removed.

Based on the totality of the circumstances and the information obtained pursuant to this investigation and based on a more likely than not standard of proof, the Dean of Students has determined that it is more likely than not that you violated the Student Code of Conduct. In summary, the evidence shows that at approximately 8:45 a.m. on Friday, April 26, 2024, protesters began occupying the Alumni Lawn and set up an unauthorized encampment. ASU Police responded to the report of the unauthorized encampment and advised those setting up the encampment that it violated ASU policies, advised them that they must remove the encampment and leave, and advised them that if they failed to do so, they would be arrested for trespassing. When the organizers refused the police directive to remove the encampment and leave, police initially arrested 3 individuals for trespass. ASU Police determined additional law enforcement resources were needed given the size of the encampment, the number of individuals present, and the fact that additional people and supplies were continuing to arrive.

Throughout Friday, April 26, ASU Police and other ASU representatives continued to monitor and address the safety of all participants while also asking those participating in the encampment to comply with university policy regarding tents, location, and amplification. As an 11:00 p.m. deadline to vacate the area approached, ASU Police worked with other law enforcement agencies to assemble personnel and plan for the clearing of the encampment and arrest of any individuals who refused to leave or became violent. This included closing the adjacent

University Drive to traffic for safety purposes and arranging for buses to transport arrestees for booking.

Beginning at approximately 10:40 p.m., repeated announcements were made to persons present at the Alumni Lawn encampment by ASU Police Commander Anthony Momon using a highpowered amplification system. Each round of announcements was repeated from multiple locations around the Alumni Lawn to ensure persons present heard the announcements. The crowd yelled responses to Commander Momon, indicating that the crowd heard the announcements. Commander Momon's announcements advised those on the Alumni Lawn that the gathering was unlawful and commanded them to leave the Lawn and ASU property immediately or they would be arrested. Commander Momon repeated the announcement directing those on the Alumni Lawn to leave or face arrest at approximately 11:00 p.m. and 11:40 p.m.

At approximately 11:59 p.m., ASU Police began arresting individuals remaining on the Alumni Lawn in violation of Commander Momon's order to leave. Thereafter, on April 27, 2024, Commander Momon again repeated the announcement ordering persons to leave at approximately 12:36 a.m. and 1:00 a.m.

The evidence, including your written statement, shows that the protests occurring at the encampment were deeply personal to you as a proud Palestinian American with relatives in Palestine affected by the current situation there. You stated that you were concerned about ASU's investments in companies that profit from war and the suffering of your family and other Palestinians, which led you to go "to the mosque to pray and reflect" before joining the unauthorized encampment. You stated that you had no plans to stay overnight and were not involved in setting up any tents. However, you remained at and participated in the unauthorized encampment, including singing, chanting, and dancing, for at least 16 hours.

Following the multiple announcements by ASU Police Commander Anthony Momon ordering individuals to leave the Alumni Lawn encampment or be arrested, you interlocked arms with other individuals remaining on the Alumni Lawn to make it more difficult for police to make arrests. At approximately 1:36 a.m., you were among a group who had interlocked arms on the Alumni Lawn and as police attempted to remove you from the group, you actively refused to leave the interlocked group and were arrested by police for criminal trespassing in the third degree.

You stated that the police did not speak to you or anyone near you. While you acknowledged that announcements were made, you stated, "There was a lot of other noise and people playing music, so I did not hear them." However, announcements were made multiple times from various locations over the course of several hours using a high-amplification speaker system. You stated that you "had no idea [you were] going to be arrested for trespassing until after it happened," but each of the multiple announcements included directives to leave or face arrest. Arrests began atapproximately 11:59 p.m. Since you were arrested at approximately 1:36 a.m. for criminal

trespassing in the third degree, you would have observed multiple people being arrested for over an hour before you were arrested. The preponderance of the evidence, including not only the multiple announcements made by Commander Momon but also the fact that your arrest occurred at approximately 1:36 a.m., after other arrests had been made, proves your statement not credible and supports the conclusion that you knowingly remained on the Alumni Lawn at the unauthorized encampment after being ordered to leave.

CODE OF CONDUCT VIOLATION(S)

As a result, you have been found **responsible** for violating the Arizona Board of Regents (ABOR) Student Code of Conduct, specifically section(s):

- 5-308 F-4 Violation of, or attempt to violate, other rules that may be adopted by the Board or by the university.
 - ABOR 7-201.A.1. University "grounds and properties are devoted to and maintained for the sovereign function of the board and its universities and of the provision of higher education to the people, and its properties are not places of unrestricted public access."
 - FAC 115: Overnight Use of University Property
- 5-308 F-7 Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
- 5-308 F-9 Unauthorized presence in or unauthorized use of university property, resources, or facilities.
- 5-308 F-11 Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
- 5-308 F-26 Commission of any offense prohibited by state or federal law or local ordinance

DECISION

Based on all information gathered and as a result of these findings, the sanction of **Suspension** is imposed through August 16, 2024. When determining the length of your suspension, the length of your interim suspension was taken into account. As such, your full suspension period is considered to have begun retroactively on the date you were placed on interim suspension.

The terms of this suspension period include the following:

• You are denied access from any university property, including but not limited to, real and personal property, money, and intellectual property owned, operated, leased to,

- contracted by, controlled, or in the possession of a university or the Board. You are subject to arrest if you violate this directive.
- You are not permitted to participate in any university-sponsored activity.
- You are ineligible for admission, enrollment, re-enrollment or readmission to Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the Arizona Board of Regents. For further information concerning this provision, please reference: https://eoss.asu.edu/dos/srr/codeofconduct.
- An administrative hold has been placed on your records and you will not be allowed to register for any classes.

ADDITIONAL OUTCOMES

- You are placed on administrative probation. Your administrative probation will conclude two years from the end date of your suspension or the completion of your conditions for return, whichever is later.
- You are to write a 5-page (12-point Times New Roman font, double-spaced, 1-inch margins) paper on the limitations on free speech, including but not limited to constitutional limits; time, place, and manner restrictions; and by whom and how speech can be declared unlawful. At a minimum, you are required to review and reference the materials on ASU's <u>free speech website</u> and ABOR's <u>free expression policy</u>. You may also reference other materials of your choosing on the limitations of free speech. Your paper must be free of spelling and grammatical errors. This paper is not an opportunity to justify your behavior or decisions leading to the finding of responsibility. Incomplete papers or papers that do not meet the above requirements will be returned. You are to submit this assignment via email to deanofstudents@asu.edu no later than August 9, 2024.

CONDITIONS FOR RETURN

Should you desire to return to Arizona State University after your suspension period ends, you will first need to complete all outcomes listed above. In addition, you will need to meet with the Office of Student Rights and Responsibilities prior to the administrative hold being removed from your student account. The purpose of this meeting will be to review the completion of your conditions, discuss your reintegration into the university community, and develop strategies for compliance with the ABOR Student Code of Conduct upon your return.

DISCIPLINARY SANCTION APPEAL PROCESS

As per the ASU Student Code of Conduct Procedures, you have the right to an appeal when the sanction imposed includes suspension, expulsion, or degree revocation. The University Hearing Board is the body that conducts hearings for appeals.

To request a hearing before a University Hearing Board, the suspended student must file a written request no later than five (5) business days following the date of notification. In your case, the written request for a hearing before the University Hearing Board must be delivered via email to deanofstudents@asu.edu no later than 11:59 p.m. (AZ Time) on Thursday, August 8, **2024**. Late appeal requests will not be considered.

An appeal will suspend the imposition of the suspension as stated in the Student Code of Conduct procedures. However, as also stated in those procedures, an appeal does not impact your interim suspension, which, in the event of an appeal, will remain in effect until the appeal process is concluded.

Please refer to the university <u>Student Code of Conduct Procedures</u> for information regarding appeal procedures. You may access the ABOR Student Code of Conduct here: https://eoss.asu.edu/dos/srr/codeofconduct.

If you have questions concerning this action, please contact the Office of Student Rights and Responsibilities at (480) 965-9170. There is an attachment to this letter providing contact information for support services available to students. If you need any accommodations to participate in any part of the process, please contact ASU's Student Accessibility and Inclusive Learning Services.

Sincerely,

el Drane III.\Ed.D. Dean of Students - Polytechnic

Regina Matos

Dean of Students - West Valley

Student Rights and Responsibilities Arizona State University 480-965-9170

CC: David Chami

REPORTING OPTIONS

PROCEDURES

Educational Outreach and Student Services

Office of Student Rights and Responsibilities

Arizona State University

Notice of Resources



Arizona Board of Regents (ABOR) Student Code of Conduct

The Student Code of Conduct sets forth the standards of conduct expected of students who attend the three main universities in Arizona (ASU, UA, and NAU). These standards apply to both on-campus and off-campus behavior. Students who violate the Student Code of Conduct may be subject to administrative and educational sanctions. For more information, please visit: https://public.azregents.edu/Policy%20Manual/5-308-Student%20Code%20of%20Conduct.pdf

Notice of No Retaliation

ACD 401: Prohibition against Discrimination, Harassment, and Retaliation - Any individual who is part of the investigation process cannot retaliate against any individual who participates in the Student Rights and Responsibility investigation process. More information regarding this policy can be found at the following webpage: https://www.asu.edu/aad/manuals/acd/acd401.html

Arizona State University Code of Conduct Procedures

When the University is aware of a reported violation of the Student Code of Conduct, an investigation is conducted. Both parties are informed of the outcome of the investigation. The Code of Conduct Procedures can be found at the following webpage: https://eoss.asu.edu/sites/default/files/student conduct procedures rev 6-23-2021 Cleryfinal.pdf

Interim Grievance Process for Formal Complaints of Title IX Sexual Harassment

Effective September 10, 2021, this procedure describes the process that will be followed by Arizona State University to resolve formal complaints of Title IX sexual harassment. Title IX sexual harassment is conduct, based on sex, that constitutes one or more of the following:

- a) Unwelcome conduct, occurring in the United States, that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ASU's education program or activity.
- b) An employee conditioning the provision of an aid, benefit, or service of ASU on an individual's participation in unwelcome sexual conduct.
- Any of the following specific acts of sexual harassment taking place within the United States and within an ASU education program or activity: sexual assault, dating violence, domestic violence, and stalking.

For more information, please visit: https://provost.asu.edu/policies/procedures/p20a

Office of Student Rights & Responsibilities (SRR)

The Office of Student Rights and Responsibilities staff is responsible for reviewing and handling student incident reports. The staff reviews the conduct of both individual students and student organizations in relation to standards set forth by the Arizona Board of Regents (ABOR). To file a report, submit an online form at: https://eoss.asu.edu/dos/srr/filingreport

University Rights & Responsibilities (URR)

The Office of University Rights & Responsibilities reviews and investigates concerns and allegations of discrimination or harassment involving faculty, staff, and other ASU affiliates. For more information, please call (480) 965-5057, email URR@asu.edu or visit: https://urr.asu.edu/

Filing a Police Report

Filing a police report does not obligate an individual to move forward with pressing charges. Contact information for many of the local agencies are listed here. ASU and ASU Police can assist with contacting other police departments.

ASU Police Victim Advocate: 480-965-0107

- ASU Police: 480-965-3456

- City of Mesa Police: 480-644-2211

- City of Tempe Police: 480-350-8311

- City of Phoenix Police: 602-262-6151

- City of Glendale Police: 623-930-3000



ASU Counseling Services

ASU Counseling Services offers confidential, personal counseling, and crisis services for students and prioritizes immediate access to services to ensure that all who request or need services can be seen within the same day. This is a confidential resource. Any information you share with counseling will not be shared with our office. To schedule an appointment, call (480) 965-6146. Students can communicate with counselors from anywhere and at any time through the ASU Counseling Services Open Call/Open Chat. For more information please visit: https://eoss.asu.edu/counseling.

ASU Health Services

Health services is a confidential resource that is available to you. ASU is committed to the physical and emotional health and wellness of students. This is a confidential resource. To schedule an appointment, schedule an appointment by calling (480) 965-3349. For after-hours/weekend medical advice, call (800) 293-5775.

Student Advocacy and Assistance (SAA)

Student Advocacy and Assistance guides students in resolving educational, personal and other campus impediments toward successful completion of their academic goals. Please note that Student Advocacy and Assistance is not a confidential resource. To schedule an appointment with an Advocate, please call (480) 965-6547 or submit a request at: https://eoss.asu.edu/dos/student-advocacy-and-assistance.

- Guidance and assistance for students experiencing challenges with academics, housing, student employment, visa/immigration, financial aid and other student services areas.
- One-on-One consultation with students seeking guidance in resolving personal challenges and concerns.
- Assistance with administrative matters impacting academic persistence and success, including: Absence Letters, Course Incompletes, Course Withdrawals, Compassionate Withdrawals and Medical Withdrawals.
- Assists students and their families in connecting with community resources.

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